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FIRST ANNUAL REPORT
OF THE
TRUSTEES
OF
PUBLIC RESERVATIONS
1891



PRINTED FOR THE TRUSTEES BY
GEO. H. ELLIS, 141 FRANKLIN STREET, BOSTON, MASS.

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CONTENTS.

	PAGE
OFFICERS AND MEMBERS OF THE CORPORATION, 1891, . . .	4
REPORT OF THE STANDING COMMITTEE,	5
Sketch of the Origin of the Corporation,	5-11
Summary of the Committee's Doings,	12-18
REPORT OF THE TREASURER,	19-20
APPENDICES :	
I. Agent's Report on the Shore Towns of Massachusetts,	21-62
II. Agent's Report on the Province Lands,	63-68
III. Laws of Massachusetts relating to Public Open Spaces,	69-83

OFFICERS AND MEMBERS OF THE CORPORATION,
1891.

President.

HON. GEORGE F. HOAR, Worcester.

Vice-President.

HON. WILLIAM S. SHURTLEFF, Springfield.

Standing Committee.

PHILIP A. CHASE, Lynn, *Chairman.*

CHARLES S. SARGENT, Brookline.

HENRY P. WALCOTT, Cambridge.

GEORGE WIGGLESWORTH, 89 State St., Boston, *Treasurer.*

CHARLES ELIOT, 50 State St., Boston, *Secretary.*

FREDERICK L. AMES, Easton.

CHRISTOPHER CLARKE, Northampton.

CHARLES R. CODMAN, Cotuit.

ELISHA S. CONVERSE, Malden.

DELORAINÉ P. COREY, Malden.

JOHN J. RUSSELL, Plymouth.

LEVERETT SALTONSTALL, Newton.

NATHANIEL S. SHALER, Tisbury.

GEORGE SHELDON, Deerfield.

DANIEL D. SLADE, Newton.

JOSEPH TUCKER, Pittsfield.

GEORGE H. TUCKER, Pittsfield.

FRANCIS A. WALKER, Boston.

REPORT OF THE STANDING COMMITTEE.

To the Trustees of Public Reservations and their Associates and Contributors :

IN accordance with the By-laws, the Standing Committee submits a report of its doings during the first six months of the life of the Corporation,—namely, from July through December, 1891 ; and, because this is the first report made by the committee, it seems best to prefix thereto the following brief sketch of the origin of the Corporation.

In April, 1890, the Council of the Appalachian Mountain Club, the prosperous “Alpine Club” of New England, appointed a committee of its members, which in May addressed the following invitation to about two thousand persons resident in all parts of Massachusetts :—

APPALACHIAN MOUNTAIN CLUB,
9 PARK STREET, BOSTON, 10th May, 1890.

Dear Sir,—At a meeting of the Council of the APPALACHIAN MOUNTAIN CLUB held on Wednesday, April 2, 1890, it was unanimously

VOTED, That Messrs. Eliot, Mann, and Lawrence be a committee to call a meeting of persons interested in the preservation of scenery and historical sites in Massachusetts.

In accordance with this vote, you are hereby invited, with friends who may be interested in the subject, to take part in a conference to be held in Boston, at the Massachusetts Institute of Technology, Boylston Street, at 12 o'clock, on Saturday, May 24, 1890. Hon. Henry H. Sprague will preside, and among those who will either attend the meeting or send letters are Governor Brackett, General Francis A. Walker, Dr. O. W. Holmes, Colonel

T. W. Higginson, Mr. Francis Parkman, and Mr. Frederick Law Olmsted.

Please use the enclosed postal-card to inform the committee whether or not they may expect you.

You are also requested to examine and consider the statements and proposals of the circular which accompanies this letter, and, if you cannot attend the conference, you are respectfully urged to communicate your opinions and suggestions in writing to Charles Eliot, 50 State Street, Boston, before the day of the meeting.

Yours truly,

CHARLES ELIOT,
GEORGE C. MANN,
ROSEWELL B. LAWRENCE,

Committee of Council of A. M. C.

With this invitation was sent the following

OUTLINE OF A SCHEME

FOR FACILITATING THE PRESERVATION AND DEDICATION TO
PUBLIC ENJOYMENT OF SUCH SCENES AND SITES IN MASSA-
CHUSETTS AS POSSESS EITHER UNCOMMON BEAUTY OR HIS-
TORICAL INTEREST.

There is no need of argument to prove that opportunities for beholding the beauty of Nature are of great importance to the health and happiness of crowded populations. As respects large masses of the population of Massachusetts, these opportunities are rapidly vanishing. Many remarkable natural scenes near Boston have been despoiled of their beauty during the last few years. Similar spots near other cities of the Commonwealth have likewise suffered. Throughout the State, scenes which future generations of townspeople would certainly prize for their refreshing power are to-day in danger of destruction. Unless some steps toward their effectual protection can be taken quickly, the beauty of these spots will have disappeared, the opportunity for generous action will have passed.

Scattered throughout the State are other places made interesting and valuable by historical or literary associations; and many of these also are in danger.

What public or private, general or local, action in aid of the

preservation of fine natural scenes and historical sites will it be best to attempt under existing circumstances in Massachusetts? This is the problem which will be the subject of debate at the conference called by the Council of the Appalachian Mountain Club; and it is only for the purpose of provoking discussion that the committee which has been authorized to call the meeting makes the following proposals:—

1. The establishment of a Board of Trustees.
2. The Trustees to be empowered to acquire by gift from individuals, or bodies of subscribers, parcels of real estate possessing natural beauty or historical interest, and to hold the same, together with funds for the maintenance thereof, free of all taxes.
3. The Trustees to be required to open to the public, under suitable regulations, all such parcels of their real estate as lie within the limits of towns and cities which may provide police protection for the same.
4. The Trustees to be prohibited from conveying real estate once accepted by them, except to towns and cities for public uses.

The meeting took place as appointed. About one hundred persons were present, representing most parts of the State. Hon. Henry H. Sprague, President of the State Senate, presided; and Mr. William Clarence Burrage, Secretary of the Bostonian Society, acted as clerk. Mr. Mann, of the Committee of Arrangements, gave an account of the four hundred cordial letters received from persons who were unable to attend the meeting. The letters from Governor Brackett, Mr. Whittier, John Boyle O'Reilly, Dr. Holmes, Francis Parkman, and other well-known persons, were heartily applauded by those present. Mr. Eliot followed with a statement of the reasons which led to the calling of the meeting; and after mentioning the occasional special Acts by which the General Court has authorized the preservation of a few remarkably interesting monuments, such as the Old South Church in Boston, he advocated the establishment of a central Board of Trustees, as follows:—

“This necessity for special Acts, combined with the trouble involved in organizing special societies and boards of trustees, naturally discourages and hinders those who

might otherwise do much for the cause we have at heart. I say those who might do much, because I believe that this worthy cause of ours, like most other noble causes, must, under our democratic government, be fostered in its beginnings at least by the individuals who may be interested in it. Some day, perhaps, the State may create a commission and assume the charge of a large number of scattered spots, to be held for the enjoyment of the people. But this day is not yet. Those of the people who feel and know the great value of such reservations must first prove their value by actual experiment; in other words, by opening many such places and managing them for the public good.

"The way our committee would propose to do this must now be clear to you all. Scattered throughout the State are many thriving historical and antiquarian societies, and many other associations which may be grouped as being interested in the world out of doors. Some of these societies have already accomplished the saving of memorable or striking spots. The Essex Institute has purchased the great boulder in Danvers, called Ship Rock, the Old Colony Historical Society owns Dighton Rock, and the Worcester Natural History Society owns a part of the shore of Lake Quinsigamond. Many others would like to do something of this kind, and more would like to if the way were easier. Let these societies, with all individuals who may be interested, unite in asking the legislature to establish one strong Board of Trustees, to be empowered to hold for the benefit of the public the desired sort of property in any part of the State. There seems to be no need of any new society or association: what is needed is concerted and co-operative action on the part of the many interested existing societies. Such action can probably effect the creation of the desired Board of Trustees, and the establishment of the Trustees will in turn facilitate and stimulate the acquiring and giving of the desired scenes and sites. The necessity for zealous local action will not be done away with: it will be provided with a definite end for which to work."

Mr. J. B. Harrison, of Franklin Falls, N.H., made an

appeal for prompt action of some sort, in view of the fact that population is increasing at a tremendous rate, while the space which is open to it grows less and less. He dwelt more particularly upon the future of the seashore, and the general physical and moral suffocation which must attend the exclusion of the coming multitude from the free light and air without which no people can exist. A day or two later one of the most influential of the Boston newspapers said of this address: "It touched upon the most vital concerns of the people and coming generations. It was the most forcible and most wisely and wittily spoken address, without any sort or shadow of exception, which has been delivered in Boston in several years."

The chairman next called for remarks from the floor, and the Hon. Leverett Saltonstall, Professor C. E. Norton, and Judge William S. Shurtleff followed each other with stirring speeches. After some further discussion, a vote was passed, asking the chairman to appoint a committee "to promote in such ways as may seem to it advisable the establishment of a Board of Trustees, to be made capable of acquiring and holding, for the benefit of the public, beautiful and historical places in Massachusetts."

This committee, after adding to its members by election, organized itself for work, as follows:—

Henry P. Walcott, Cambridge, *Chairman*; George Wigglesworth, Boston, *Treasurer*; Charles Eliot, Boston, *Secretary*.

Francis A. Walker, Boston; Sarah H. Crocker, Boston; Marion Talbot, Boston; William C. Burrage, Boston; C. S. Rackemann, Milton; George C. Mann, Jamaica Plain; L. Saltonstall, Chestnut Hill; F. L. Olmsted, Brookline; C. S. Sargent, Brookline; Moses Williams, Brookline; Sylvester Baxter, Malden; Elizabeth Howe, Cambridge; William S. Shurtleff, Springfield; Joseph Tucker, Pittsfield; Christopher Clarke, Northampton; Richard Goodman, Lenox; Franklin Carter, Williamstown; George Sheldon, Deerfield; Henry M. Dexter, New Bedford; Henry M. Lovering, Taunton; George R. Briggs, Plymouth; J. Evarts Greene, Worcester; Henry L. Parker, Worcester; Philip A. Chase, Lynn; W. C. Endicott, Jr., Salem; John S. Brayton, Fall River.

Eight members attended the first meeting in the Appalachian Club room on May 31, 1890, eleven members appeared at the second meeting, July 17, 1890, and fourteen members at the third meeting, Jan. 31, 1891. At the second meeting a sub-committee, made up of Messrs. Greene, Olmsted, Williams, Wigglesworth, and Eliot, reported a scheme of organization for the proposed Board of Trustees, and advised the establishment of a companion board with the powers of a Board of Visitors. This report was then referred to a sub-committee on legislation, made up of Messrs. Shurtleff, Parker, and Williams, who reported to the third meeting a draft of an act of incorporation.

The draft was approved, and a petition praying for the passage of the act was signed and addressed to the General Court. The name of one gentleman from each county (excepting Nantucket) was inserted in the first clause.

Meanwhile many newspapers had made favorable mention of the project. Moreover, the committee had been enabled, by means of subscriptions sent to its Treasurer, to issue two "circulars of information," which served to rally the forces of its friends with an effectiveness which was manifested by the large number of persons present at the hearing before the Judiciary Committee of the Senate, on March 10, 1891.

At the hearing Mr. Moses Williams acted as counsel. Mr. Eliot stated the purpose of the committee in asking for the passage of the proposed act of incorporation; and remarks in favor of the measure were made by Messrs. Hadwen, Spooner, Strong, Niles, Winslow, Rackemann, Parker, Northrop, and others, some of whom had been delegated by historical or other societies to appear at the hearing. The act, which was guided through the Senate by Senator Smith of Athol, passed both Houses without difficulty, and received the approval of Governor William E. Russell May 21, 1891.

As enacted and approved, the act is as follows : —

CHAPTER 352. ACTS OF THE LEGISLATURE OF MASSACHUSETTS,
1891.

AN ACT TO INCORPORATE THE TRUSTEES OF PUBLIC RESERVATIONS.

Be it enacted, etc., as follows :

SECTION 1. Frederick L. Ames, Philip A. Chase, Christopher Clarke, Charles R. Codman, Elisha S. Converse, George F. Hoar, John J. Russell, Leverett Saltonstall, Charles S. Sargent, Nathaniel S. Shaler, George Sheldon, William S. Shurtleff, George H. Tucker, Francis A. Walker, George Wigglesworth, their associates and successors, are hereby made a corporation by the name of The Trustees of Public Reservations, for the purpose of acquiring, holding, arranging, maintaining, and opening to the public, under suitable regulations, beautiful and historical places and tracts of land within this Commonwealth ; with the powers and privileges and subject to the duties set forth in chapter one hundred and fifteen of the Public Statutes and in such other general laws as now are or hereafter may be in force relating to such corporations ; but said corporation shall have no capital stock.

SECT. 2. Said corporation may acquire and hold by grant, gift, devise, purchase, or otherwise, real estate such as it may deem worthy of preservation for the enjoyment of the public, but not exceeding one million dollars in value, and such other property, both real and personal, as may be necessary or proper to support or promote the objects of the corporation, but not exceeding in the aggregate the further sum of one million dollars.

SECT. 3. All personal property held by said corporation, and all lands which it may cause to be opened and kept open to the public, and all lands which it may acquire and hold with this object in view, shall be exempt from taxation, in the same manner and to the same extent as the property of literary, benevolent, charitable, and scientific institutions incorporated within this Commonwealth is now exempt by law ; but no lands so acquired and held and not opened to the public shall be so exempt from taxation for a longer period than two years. Said corporation shall never make any division or dividend of or from its property or income among its members.

SECT. 4. This act shall take effect upon its passage.

The first meeting of the Corporation created as above described took place June 26, 1891, in the office of Mr. F. L. Ames in Boston. Eleven out of the fifteen incorporators were present. The act of incorporation was accepted, a code of by-laws was adopted, five new members were elected, and officers for 1891 were chosen, as follows: President, George F. Hoar, of Worcester; Vice-President, William S. Shurtleff, of Springfield; Treasurer, George Wigglesworth, of Boston; Secretary, Charles Eliot, of Boston; Standing Committee, Philip A. Chase, Charles S. Sargent, Henry P. Walcott, and the Treasurer and Secretary *ex officio*. It is this Standing Committee which here proceeds to report its doings during the remainder of the year 1891.

The committee held its first meeting July 1, when it organized by the election of Mr. Chase as chairman. Six subsequent meetings were held, one in each month, the detailed records of which are open to the inspection of the members of the Board. This report is a summary of these records and the Secretary's correspondence.

After adopting as the seal of the Corporation a design showing a pine-tree such as once adorned the flag and coinage of Massachusetts, and after issuing a circular announcing the organization of the Board, the committee gave its attention to the careful consideration of the several schemes, plans, and proposals which were promptly presented by the Board's enthusiastic friends.

First to be considered was the first offer of a gift of land. This came from several Trustees to whom Mrs. Fanny H. Tudor, daughter of the late William Foster, of Stoneham, had recently conveyed a tract of about twenty acres situated in the south-eastern part of Stoneham, between Spot Pond and the Melrose line. The proffered deed contained the provision that the reservation should be called Virginia Wood, in memory of a daughter of the donor.

Upon examination the land in question was found to be a diversified tract of woodland, divided by a hollow containing

a brook, possessed of many fine specimens of hemlocks, pines, oaks, and other trees, and capable of serving as a delightful retreat for the large population which the opening of the proposed Stoneham railroad will bring into its neighborhood. The committee was unanimously in favor of accepting the trust at once; but a realization of the fact that the publication of such an acceptance would result in an increased resort to the land, with all the accompanying danger from possible pillage and fire, together with the fact that the Board was in possession of no means of defending the property, compelled the committee to postpone action. Several gentlemen of the adjacent towns of Melrose, Malden, and Medford, were notified of the situation; and, as these gentlemen now report that they have obtained subscriptions to a considerable part of the desired maintenance fund, it seems certain that the charge of Virginia Wood will soon devolve upon this Board. In that case, the name of Mrs. Tudor will head the list of Founders in next year's report; while the contributors to the endowment fund will also appear therein as Life Associates and Contributors.

A second proposal, which interested the committee exceedingly, was that of a gentleman who expressed his desire to purchase one of the finest groves near Boston, and to give it into the keeping of this Board in memory of a young man who loved all natural beauty with uncommon ardor. Unfortunately, the complicated ownership of the tract in question has thus far proved an insurmountable obstacle to the realization of this beautiful project. The committee believes that the future will witness many instances of this giving of natural landscapes *in memoriam*. Is not a religiously guarded living landscape a finer monument than any ordinary work in marble or stained glass?

A third interesting suggestion came from a gentleman one of whose ancestors succeeded in permanently attaching his name to a certain picturesque spot, which was visited by the committee and found to be so placed that it would make a very useful as well as handsome and interesting public

reservation. There must be in Massachusetts numerous other places somewhat similarly identified with honored names, and this Board will always be glad to interest itself in their permanent preservation.

Among the many spots suggested by other persons as being worthy of preservation on account of their special beauty or charm may be named the following: the banks of Charles River at Newton Upper Falls, the Falls of Beaver Brook in Belmont, the top of Shootflying Hill in Barnstable, the Purgatory in Sutton, the Glen at Whately, the Natural Bridge near North Adams, the Ravine of the Bash Bish in Mount Washington. In addition to these places numerous other spots have been brought to the attention of the committee because of their literary, romantic, or historical associations: among them the rock of Norman's Woe near Gloucester, Heartbreak Hill in Ipswich, the Indian Cave in Medfield, the Craddock House in Medford, the Wayside Inn in Sudbury, the "Captain's Well" in Amesbury, and the well of "The Old Oaken Bucket" in Scituate.

All these places and many more are doubtless worthy of preservation in the collection of Massachusetts landscapes and memorials which this Board has been empowered to establish and maintain. On the other hand, this Board does not possess either the money or the authority to enable it to snatch real estate out of the hands of anybody. Like the trustees of a public art museum, this Board stands ready to undertake the care of such precious things as may be placed in its charge. It exists "*to facilitate* the preservation of beautiful and historical places in Massachusetts" by providing an efficient and permanent organization through which individuals and bodies of subscribers may accomplish their several desires.

The Secretary's correspondents, anxious for the rescue of this or that interesting spot or structure, must not be discouraged when they learn that this Board possesses no magic powers. With all the other lovers of the scenery and the history of Massachusetts, they must hasten to imitate those admirers of the fine arts who have so liberally endowed

the public art museums. Maintenance funds as well as purchase money will be needed. Genuinely interested persons, by interesting others, can accomplish much ; and all workers in the cause will receive whatever aid it may be within the power of this Board to render.

In addition to the sympathetic study of the several suggested projects just mentioned, the committee has from the first given serious attention to certain broad questions from which it found itself unable to escape. Massachusetts, as a whole, is shamefully lacking in open spaces reserved expressly for enjoyment by the public. The mountain tops of the interior, the cliffs and beaches of the seashore, and most of the intervening scenes of special beauty are rapidly passing into the possession of private owners, who hold these places either for their own private pleasure or for the profit which may be reaped from fees collected from the public. Moreover, as population increases, the final destruction of the finest remaining bits of scenery goes on more and more rapidly. Thus the prospect for the future is in many ways a gloomy one, particularly upon the seashore and in the neighborhood of Boston.

Impressed by these considerations, the committee determined to take action in four directions : *first*, to thoroughly investigate, and then to publish the present facts in respect to the provision of public open spaces ; *second*, to collect and publish the laws of Massachusetts which permit or otherwise affect the acquisition and maintenance of public open spaces ; *third*, to call together the numerous park commissioners and park committees of the metropolitan district surrounding Boston, in the hope that mutual acquaintance might encourage co-operative action in the taking of land for public open spaces ; *fourth*, to ask the legislature of 1892 to institute an inquiry into the whole subject.

A personal exploration of the actual ground was evidently called for by the first of these determinations ; and the committee congratulated itself when it found that it was pos-

sible to secure the services of Mr. J. B. Harrison of Franklin Falls, N.H., as its agent in this matter. The exploration of the seashore townships of the State occupied August and September; and Mr. Harrison's very interesting report upon his journey will be found in Appendix I., page 21. Unfortunately, a lack of money in the treasury prevented the inland extension of the work. Mr. Harrison's success in rousing popular interest in various noble causes, among them the preservation of Niagara by the State of New York, warrants the committee in believing that his work accomplishes in the end much more than appears at once. While he is engaged in gathering facts, he is sowing good seed for future harvests. He is an admirable public speaker, and the committee would be glad to be enabled to make use of his services during the whole of 1892.

In advance of his general report, a special report was submitted by Mr. Harrison on the subject of the Province Lands upon Cape Cod (see Appendix II., page 63). These lands form the only large public reservation possessed by the State of Massachusetts; and their present condition, as described by Mr. Harrison, seemed to the committee to be so unsatisfactory that the Secretary was instructed to address the following petition to the General Court of 1892:—

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts, in General Court assembled:

The undersigned petitioners respectfully represent that the Province Lands upon Cape Cod stand in need of more efficient management. Fire and the axe have been permitted to destroy the forest which once adorned and protected the ocean frontage of these lands; and now a desert of moving sand is rapidly overwhelming the remaining woods and threatening to injure the harbor and town of Provincetown.

The four thousand acres upon which this waste is going on are the property of the State. The inalienable title of the Commonwealth has been repeatedly asserted and declared. The responsibility for the management of this property clearly rests upon the General Court; and therefore your petitioners respectfully ask that prompt action be taken by your honorable bodies to protect

Provincetown, and to preserve, for the use and enjoyment of the people of the Commonwealth, their only great ocean-side domain.

THE TRUSTEES OF PUBLIC RESERVATIONS,

By their Standing Committee.

The execution of the committee's second proposal—the collecting of those laws of Massachusetts which interest the friends of public open spaces—was assigned to the Secretary and the Treasurer; and their compilation will be found in Appendix III., page 69. If these laws are studied, they are found to provide for the identification and re-establishment of the lost bounds of ancient public holdings, for the improvement of existing public holdings by towns, cities, or voluntary associations of men and women, for the prevention of the intrusion of streets or buildings upon public holdings, for the defence of such holdings from mischievous injury, and for the acquisition of new public holdings by towns, by cities, and by this Board.

It is hoped that this collection will prove useful to the friends of public parks and forests, and all the defenders of our scenery.

The meeting of the park commissions and committees of the metropolitan district surrounding Boston, called for by the third determination of the committee, took place on December 16, in the office of the Boston Park Commission, one of whose members, General Francis A. Walker, presided. A majority of the towns and cities within eleven miles of Boston were represented by their park commissioners or other officers; and so general was the desire for immediate, effective, and comprehensive action towards the reservation of ample public open spaces that a committee was appointed to draft a memorial to the legislature, asking for prompt action in this direction.

The fourth and last of the special desires of the committee was embodied in the following petition to the legislature. This petition, with that from the park commis-

sioners just mentioned, will serve to draw the attention of the people to the situation, and a special commission to inquire and report may possibly be granted.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts, in General Court assembled :

The undersigned petitioners respectfully represent that the seashores, the river-banks, the mountain tops, and almost all the finest parts of the natural scenery of Massachusetts are possessed by private persons, whose private interests often dictate the destruction of said scenery or the exclusion of the public from the enjoyment thereof. In the opinion of the undersigned, the scenes of natural beauty to which the people of the Commonwealth are to-day of right entitled to resort for pleasure and refreshment are both too few in number and too small in area; and, therefore, your petitioners respectfully ask that an inquiry be instituted by your honorable bodies for the purpose of ascertaining what action, if any, may be advisable in the circumstances.

THE TRUSTEES OF PUBLIC RESERVATIONS,

By their Standing Committee.

The above report is respectfully submitted by : —

PHILIP A. CHASE,
CHARLES S. SARGENT,
HENRY P. WALCOTT,
GEO. WIGGLESWORTH,
CHARLES ELIOT,

Standing Committee.

BOSTON, Jan. 15, 1892.

REPORT OF THE TREASURER.

*To the Trustees of Public Reservations and their Associates
and Contributors :*

The present account includes receipts and expenses to Jan. 1, 1892.

Up to that time there had been received subscriptions for three different purposes, namely : —

1st, For the general object of the Corporation.

2d, For the special work done by Mr. J. B. Harrison, agent.

3d, For the care and protection of the tract of woodland, in Stoneham, known as Virginia Wood, and soon to be conveyed to the Trustees.

GEORGE WIGGLESWORTH, *Treasurer*, IN ACCOUNT WITH
THE TRUSTEES OF PUBLIC RESERVATIONS.

To January 1, 1892.

Dr.	GENERAL ACCOUNT.	Cr.	
To Cash :		By Cash :	
Subscriptions, . . .	\$538.00	Expense Account :	
		Printing, etc., . . .	\$139.19
		Secretary's expenses, . . .	127.05
		Balance,	271.76
	\$538.00		\$538.00
1892.			
Jan. 1. To Balance, . . .	\$271.76		

Dr.	AGENT'S ACCOUNT.		Cr.
To Cash :		By Cash :	
Subscriptions, . . .	\$905.00	J. B. Harrison, salary, . . .	\$333.33
	<u>905.00</u>	J. B. Harrison, expenses, . . .	200.00
		Balance,	<u>371.67</u>
1892.			\$905.00
Jan. 1. To Balance, . . .	\$371.67		

Dr.	VIRGINIA WOOD FUND.	Cr.
To Cash :		
* Subscriptions, . . .	\$107.00	By Balance, \$107.00
	<u>\$107.00</u>	
1892.		<u>\$107.00</u>
Jan. 1. To balance, . . .	\$107.00	

The subscriptions for general purposes, and for Mr. Harrison's work have been as follows : —

Anna T. Phillips,	\$150.00	Joseph Lee,	\$10.00
W. C. Loring,	100.00	Louise Kennedy,	10.00
H. H. Hunnewell,	100.00	Mrs. Geo. W. Hammond,	10.00
Frederick L. Ames,	100.00	Mary Sophia Walker,	10.00
C. S. Sargent,	100.00	J. C. Braman,	10.00
E. N. Horsford,	100.00	J. R. Leeson,	10.00
J. M. Forbes,	100.00	Appalachian Mountain Club,	10.00
N. T. Kidder,	100.00	Julia Bryant,	10.00
John E. Thayer,	100.00	H. S. Codman,	10.00
George Wigglesworth,	100.00	O. B. Hadwen,	5.00
Sarah H. Crocker,	50.00	John Ritchie,	5.00
E. W. Hooper,	50.00	Zilpha D. Smith,	5.00
Henry Lee,	50.00	Wm. P. Bolles,	5.00
Ellen Chase,	35.00	Nathaniel Morton,	5.00
Julia Delano,	25.00	George S. Hale,	5.00
Edward Wheelwright,	25.00	R. F. Curtis,	2.00
Philip A. Chase,	25.00	Edmund Hersey,	1.00
Leverett Saltonstall,	10.00		

GEORGE WIGGLESWORTH,
Treasurer.

BOSTON, Jan. 15, 1892.

Jan. 27, 1892.

The undersigned have examined the accounts and vouchers of the Treasurer of the Trustees of Public Reservations covering the period to Jan. 1, 1892, and find them correctly cast and properly vouched.

D. P. COREY,
CHRISTOPHER CLARKE,
GEORGE SHELDON,
Auditing Committee.

* This is a portion of the money collected in adjacent towns and cities to provide for the care of Virginia Wood. Further sums have been received since the time covered by this report, and the names of all the contributors will appear in next year's report.

APPENDIX I.

A REPORT UPON THE PUBLIC HOLDINGS OF THE SHORE TOWNS OF MASSACHUSETTS.

SALISBURY.

Beginning at the New Hampshire line, in my search for public holdings in the shore towns of Massachusetts, I found that Salisbury has no land belonging to the town, no place on the shore to which the public can resort as a matter of right. Salisbury Beach runs the whole length of the town, from the mouth of the Merrimack River to the State line. It formerly belonged to the people in common, and was then regarded as of little value. It now brings important annual revenues to its owners, a corporation entitled "The Commoners of Salisbury." The members of this body, forty or fifty young and vigorous business men, hold that they are more truly in the legal line of descent and inheritance from the early settlers than the present town itself. The town has so far recognized their title as to tax them on this beach property for the last seventy-five years; but last spring the people voted in town meeting to inquire into the title, and appointed a committee for that purpose.

The Commoners' Corporation does not sell land, but leases sites for summer cottages; and there is an almost continuous village of these habitations along a great part of the length of the beach, many of them fairly good houses. Visitors are welcome, for the owners of the land wish to lease cottage sites to more people; but it is all private property, and the public goes there as a matter of sufferance or privilege, and not of right. Many thousands of visitors come down the valley of the Merrimack to Salisbury Beach every year, and there are large excursions from Massachusetts and New Hampshire towns almost every day in the season. Several crowded steamboats came down on the day of my visit to this part of the shore. The time is probably not distant when everybody who comes to the sea here will have to pay a fee for admission to the grounds held by this beach corporation.

The State of Massachusetts owns a small area, perhaps one-half or three-quarters of an acre, adjacent to the monument at Salisbury Marsh Station, which marks the line between this State and New Hampshire.

NEWBURYPORT

has a fine system of public parks and open spaces. Some of them have been long in use and are restful and beautiful, while others are still in process of construction and development. Washington Park consists of about eight acres, and has many fine trees. Brown Square, in front of City Hall, is two acres in extent. Kent Street Common, a half-mile away, has five acres in grass and paths. A mile and a half out on High Street is Atkinson Common, ten acres given to the city by Mrs. Eunice Atkinson Currier. This tract is not much improved as yet, as there are few residents in that vicinity; but it will be developed as the increase of population may require. Riverside Park has a front of 125 feet on the Merrimack River, and runs back 500 feet. The City Improvement Association is raising money to build a bulk-head here, and thus furnish a public bathing-place. The late James Parton was deeply interested in the movement for new public reservations. He told me that for several years he had every summer opened the grounds around his house to the children of the city for a play-ground,—over an acre with sward, flowers, and shrubbery. Mr. Parton said the flowers were “almost never touched; not five times in a summer.” These children’s thought of him is a pleasant fame for this bright-spirited man to leave behind him.

Some of the leading women of Newburyport would like to have “The Captain’s Well,” which is celebrated in Mr. Whittier’s poem of that name, preserved for public use as the captain desired, and as a tribute and memorial to the venerable poet. I believe the well is near the road between Newburyport and Amesbury, and it was said to be covered over and not in use; but I did not see it. There was formerly a Town or Common Pasture at Newburyport, but no part of it is common now. It has all long been embraced in private holdings.

NEWBURY

includes nearly all the northern half of Plum Island, with its extensive beaches and shore lands. These all belong to private

owners; and ground is leased to summer dwellers for cottages, as on Salisbury Beach. There is no public holding on the shore; but inland there are two small reserves owned by the town, Upper Green and Lower Green, four or five acres each, unfenced, grazed by the neighborhood cows, a few trees and a school-house on each, with some interesting history in each case, beginning with the first white settlement of the region. The Lower Green was originally part of the Common of the "Old Town," which was laid out here near the Parker River before Newburyport was thought of. I saw a very old plat of this most ancient village, with the Common much larger than it is now, and the adjacent house-lots all marked with their owners' names. The Upper Green was part of a farm owned by a minister in early times. He left this triangle between roads unfenced; and in time the town assumed title, and holds it by undisputed occupancy. Both these small parks have been encroached upon and reduced in area by private greed in more modern times. A little care would make what still remains of them more attractive and valuable than they now are to the people of the town, who have no other places of public resort to which they can go as a matter of right. Mr. William Little, of Newbury, knows much of the early history of the town, and was for many years most efficient as keeper of the town records.

ROWLEY.

The public lands and rights owned by the town of Rowley are:

1. Rowley Common, in the nature of a park, in the centre of the village, about four acres, acquired from the Widow Hobsen for a training-field by exchange of land, about 1670. It was beautified by planting a single row of elms around it in 1839. This Common has been curiously encroached upon, as all visitors can see; and it would probably have been entirely destroyed, and its area appropriated by the owners of contiguous private holdings, had it not been for the barrier and defence interposed by the surrounding line of large and handsome trees, which have long been too conspicuous to be safely attacked.
2. Two smaller commons, also in the village, both planted with elms in 1839.
3. The Town Landing on Rowley River.
4. About one-fourth of an acre at the Stock Yard, so called, for use as a place for leaving horses when working on the salt marshes. This has been somewhat encroached upon.
5. A small common in front of Town Hall, set with trees

in 1856. There are no known town rights in the beach on Plum Island, nor any shore rights except the one town landing mentioned above; but it is probable that the public has the right of landing on Nelson Island in Plum Island River, as this landing has always been in use by those who dig clams. Nobody else has any use for it. Plum Island River is silting up, and the island will probably soon be joined to the mainland by a long strip of marsh. The Merrimack River formerly ran through this channel, reaching the ocean far to the southward of its present mouth.

The lands of the "Old Commoners" of Rowley were all divided at various times, as is shown of record. The old "Meeting-house Lot" is now occupied by the Town Hall and a school under it. This town, perhaps in greater degree than any other in the Commonwealth, has remained the same as in earlier times, with people of the same blood living on the same lands, and living much in the same manner. The population is about the same, without much mixture from abroad. There are Bradstreets living to-day, as always, on the farm laid out to their ancestor Humphrey in 1634, then in Ipswich, now in Rowley by annexation. The same, or nearly the same, is true of the Mighills, and of other families. The general or popular interest in matters of local history is, however, much less than one would expect to find here; but it is an interesting town to a student of civilization and to any observing visitor. The cemetery here is very old, and is admirably cared for; and the town records are unusually full and valuable, and are most scrupulously guarded and preserved. But some of the locally historic names get changed or lost, and the errors are perpetuated by careless and lazy map-makers. Thus a recent map shows the old name Hunsley Hill changed to Huy Slow, which is printed over Bradford Street Hill, leaving the real Hunsley nameless. The old Rowley, with its interesting survivals from a remote past, will not last much longer unchanged. The wayfarer who seeks a summer home by the sea pauses here and there along these quiet roads and notes the attractions of the scenery. It is a very beautiful town. Many points on the hillsides command wide horizons, with outlooks into the infinite of the sea; and the increasing demand for these heights will bring them into the market before many years have passed.

IPSWICH

has no public holding on the shore, but there is a pleasant area called Meeting-house Green in front of the principal church. This is the only park or public ground. The town contains an eminence with an interesting name,—Heartbreak Hill,—and I have been trying to find out whose heart was broken there and why it was broken. I soon met the story of an Indian girl who loved a sailor, and climbed to this hill-top to watch for his unreturning sail till she died. This account may be true, but I should like to know how old it is in this case. I am inclined to distrust it, because the same story, or nearly the same, is told of so many places, Lovers' Leaps, etc., in all parts of our country. It does not seem that all these Indian girls could have broken their hearts in the same way. Early in this century, perhaps earlier still, the story was told in the Bradstreet family here of a young woman of their own race and name, Hannah Bradstreet, who went up this hill every day to see if her lover's ship was coming up the bay; and it never came. What we chiefly need to know about it is the time when the name was first given to the hill, or when it came into popular use; but I fear it is all irrecoverable. I am trying, however, to ascertain when the name was first put on the maps and into the Ipswich town records. Perhaps some reader of this account may be able to give me this information.

ESSEX

has no real seashore, as Ipswich and Gloucester meet on the ocean beach; but the lower reaches and broad expansions of Essex River are all in this town, and all this shore is about the same as seashore. It is private property, except the Town Farm and two or three landings. For many years a part of the Town Farm has been devoted to the uses of a public summer resort; and the town officers lease sites four rods by three for cottages, two adjoining lots to one person, if desired. There is an area for picnics, clam-bakes, fish dinners, and the like. These grounds are on the bank of the river, and everybody has a right to go there. The town owns the ground around some of the old landings, in one case two acres or more. Two of these places are now rented to ship-builders, whose work is in demand at Essex during recent years. The streams here are said to be carefully guarded from all defile-

ment. The town has some interesting places connected with the history of a distinguished family, the Choates; and one or two spots should be marked while they can be identified.

ROCKPORT

has no public holding of any kind available as a place of public resort, no park or common or right on the shore, except perhaps a landing or two. There are two or three beautiful headlands here, very convenient for picnics and out-of-door assemblies. They should be secured for public uses, as this region is certain always to have throngs of visitors. Unless steps to this end are taken very soon, these specially attractive sites are likely to be taken up for dwellings by people of means. Pool's Hill, near the village of Rockport, affords a very extensive view of the ocean, of the shore regions, and of some points far inland. It is 230 feet high. The clerk of the town, Mr. Calvin W. Pool, has for several years found his chief recreation in the effort to distinguish and identify the various features of the landscape visible from this eminence. Several years ago he discovered that Mount Washington can be seen from here, and I saw letters from the officers of the United States Coast Survey and other eminent scientific men confirming Mr. Pool's triangulations and conclusions. The hill ought to be public property.

GLOUCESTER,

with 25,000 people, has no park or common or public holding of any kind that can be used as a place of public resort. A fragment of beach near the Pavilion Hotel belongs to the city, but it is too small to be of much use. I asked some of the leading men where their people go for band concerts or any out-of-door entertainment; and they said, "The band takes the sidewalk, and the people stand in the street." I thought there must be annoying collisions sometimes. This year Gloucester will celebrate her 250th anniversary, and her people have already begun their preparations for the event. They wish to establish some appropriate memorial at that time, and somebody has proposed that they endow a factory, so as to furnish work for laborers now unemployed; but I urged the need of a park, common, or open space of some kind for public resort. The effort to establish a memorial of this nature would awaken wide-spread interest, and would attract the moral support

of the Trustees of Public Reservations, of the press of the State, and of all public-spirited citizens. If anybody born in Gloucester has gone away somewhere and got rich, I hope he will remember his native city now, and help her people to establish a memorial park. There can be no doubt that the higher interests of the city have suffered loss and injury from the want of any place of public resort. The local journalists are earnestly in favor of the park idea; and the farm adjoining the city, on the shore on the lower-side, is admirably adapted to the purpose. It is the site of "The Old Stage Fort."

I walked entirely around Eastern Point, and found that the Eastern Point Associates have built a lodge at the entrance to their extensive domain of shore lands, and swung a gate across the carriage-road, with a notice requiring visitors to obtain permission in the lodge if they wish to proceed. I went on, and was not recalled. The gate is intended chiefly, I suppose, to assert the right of exclusive occupancy, and people enter and pass freely; but a picnic party of country folk would probably be turned back. There is no public holding along this very attractive shore, and the public has no right whatever even to walk by the sea here. I spent a summer at East Gloucester twenty-five years ago, and where I then passed weeks in solitude on the shore there are now long streets of costly houses.

Rafe's Chasm is a wild, rocky cañon on the shore a little below Norman's Woe, at the entrance of Gloucester Harbor. It is an interesting place, and attracts many visitors and picnic parties. It is dangerous in the present undefended condition of the ledges. There should be railings along the steepest places. One fatal accident, which occurred many years ago, is commemorated by an iron cross fixed in the rock; and, if the chasm remains unguarded, there will probably be other monuments erected here in time, as the number of visitors increases. There should be a small public reservation here. The view of the sea, and of a wide expanse of the shore country, is very attractive, and the public should have a right to come here and enjoy it; but the adjoining land is likely soon to be put to use as the site of a fine house, and the chasm will then be included in the owner's private grounds.

Not far from Rafe's Chasm there is a pine grove, which is very pleasant and convenient for picnics, and which has long been used as a place of public resort by the people of the region. Some years ago it was purchased by a public-spirited woman, who is in-

terested in the objects for which the Trustees of Public Reservations were incorporated. She is especially desirous that the people of the adjacent country shall have access to pleasant and interesting places by the sea, and she wished to preserve this tract and the pine grove for that purpose. She gladly gives the use of it to all comers, asking only that the trees shall not be injured and that fires shall not be left burning to endanger contiguous property. She has had some rather discouraging experiences. The picnic people mutilate the trees, leave fires burning, tear down the notices which request caution, and show such a spirit of disregard and mischief that the owner is compelled to employ some one to care for the grove much of the time during the picnic season. This is an unreasonable burden, as the grounds yield no income or profit. It is probable that the abuse of the privilege here enjoyed by the public will lead to its withdrawal. A similar state of things exists in many places where the people are not sufficiently civilized to make a proper and rational use of parks and open spaces for public resort. Among an orderly population the expense of caring for sylvan reservations of this kind is very slight.

MANCHESTER

has several open spaces of various kinds, which are the property of the town, and are used as places of public resort. One has an area of perhaps seven acres, and is used for picnics. There is also a picnic-ground at Tuck's Point, one-fourth of an acre, which is a town landing, used as such since 1730. There is a building here, 50 feet by 20, for tables, etc.; and the town provides a janitor. This is an arrangement I have not observed elsewhere. There are several other tracts,—seven acres on the plain, bought with the idea of having the Town Poor Farm there, but not used for that purpose; Old Neck Beach, more than half a mile long, with adjoining land of varying width running up the shore; Lobster Cove Landing, two hundred yards of shore, and the ground the powder-house stands on. The people talk of selling some of these, as they think the town has more land than it needs or can afford to keep. One of the most valuable and interesting of the public holdings of the town, and one highly appreciated by the people, consists of a belt of land along each side of the highway between Manchester and Essex. This was purchased a few years ago, in order to preserve the woods along this road, which were

then about to be destroyed. Their preservation is the result, chiefly, of the efforts of a few thoughtful women in the neighborhood. The title to the property is vested in the town, and the deeds have been deposited in the office of the town clerk. The road is a most attractive drive.

BEVERLY.

The only public holding of importance in the town of Beverly is West Beach, which belongs to the West Beach Association, incorporated by a special act of the legislature in 1852. This corporation is composed of all the resident inhabitants of the East Farms school district in Beverly, and of the people of a designated portion of the West Farms school district; and it is authorized to take and hold all that portion of the seashore, beach, and flats of Beverly Farms which is included in the limits defined in the act of incorporation. There may be five or six acres of the land, but I think scarcely so much. Nobody appears to know how much there is. It is part of the land, beach, and flats originally granted by the town of Salem to John West in 1666, and the title has ever since then been in him and his heirs and legal successors. The members of the corporation may use and occupy this piece of seashore for boating, bathing, and gathering drift-stuff and sea-weed; and they are required to keep in good repair a certain small piece of road or causeway for public travel, and a few rods of sea-wall,—not a difficult or costly requirement. I find nothing in the act of incorporation requiring the Association to take care in any other way of the property to which it has thus received title, and it has a very neglected and unattractive appearance. Much of the area is overgrown with weeds, which, when I was there, were tall enough to conceal a group of artists who were sketching the sea view, which nothing can spoil. The place might be made much more attractive and valuable to the people who have a right to go there, especially to the women and children, to whom it is at present almost worthless; and I think the act of incorporation should be so amended as to require the Association to take reasonable care of the property, and to keep it in a neat and orderly condition.

There is no common or public holding of any kind in the region which is still marked Beverly Common on the maps, nor has there been in any recent time. I think this reproduction and perpetua-

tion of old terms by successive map-makers is probably the source of the popular notion or impression that there are still considerable areas of common or undivided town land in many towns in Massachusetts. The Trustees of Public Reservations were made a corporation for the purpose of acquiring, holding, and opening to the public "beautiful places and tracts of land"; and, if we are to have anywhere a reservation for its beauty, and for the delight of those who love beauty, I know of no place in the State which is better adapted to such uses than this region of high, rocky pasture and encompassing woodland. The distant view is fine in every direction; and the whole of the vast visible landscape is full of character, strong, alluring, tonic, and satisfying. It is a place for artists and for people with a developed sense of the beauty and value of fine scenery. Of course, it is good to be out-of-doors almost anywhere; but here there is the inspiration of natural scenery of a vivifying character, and the consenting soul of "the wide aërial landscape" speaks to the soul of the beholder. I wish that the Trustees might visit and examine the region, and that many lovers of the out-of-door world might explore it and note their impressions regarding it. It is easily reached in summer by a short walk from the railroad station at Pride's Crossing. There are impressive personal memories and associations connected with a place near the border of the wild region, which will cause the visitor to pause and linger on the way, and which suggest the reflection that poetry and romance have their exhaustless sources in human nature and life.

Beverly has no considerable parcel of land belonging to the town. There are several old town landings, but the town has not always maintained its right in them. One of the landings was established in 1682. Another had in 1795 been used for more than eighty years as a public landing place; but about that time it began to be attacked and encroached upon. Some of the streets have also been built upon and seriously reduced in width.

I think the town appears not to have any possession in the beaches within its limits. I cannot learn that it has ever exercised over them any rights of ownership. As early as 1644 Salem required all who had houses and lots next the water anywhere in that town to maintain a good way at least eight feet wide for horse and man along the shore; and in 1646, at a general town meeting in Salem, a committee was ordered to lay out such a way between The Ferry, which is now in Beverly, and the head of Jeffey's Creek,

now in Manchester. The location of this way is known for nearly the whole distance, but I cannot find that the town has in recent years asserted or maintained its right to this pathway. Beverly was set off from Salem in 1668.

SALEM

has (1) a pretty Common in the most populous part of the city, nine acres of sward with trees encircling it, paths and seats. It is for people on foot only, and is quiet and pleasant for women and children. It is, I believe, the old training field. (2) "The Willows," on the shore, said to contain thirty acres or more, adjoining the Town Farm, or Almshouse, grounds. This park is so named from a row of great trees, which have a history. The place is reached by a street railway from the city, and is much resorted to by throngs on summer nights. The area is not so large as it should be; but it is one of the most valuable of all the public holdings on the New England shore, and the cost of maintaining it is very small. The annual appropriation for this purpose is about \$1,200. Cafés and restaurants rent space, and yield a revenue of \$800 a year. The real annual cost to the city is thus only about \$400. Yet the people of the adjacent suburb of Juniper Point would like to see this place of resort closed, and they oppose all appropriations for its care and maintenance. (3) There is an area of two and a half acres on Liberty Hill in North Salem, with a few fine trees, a spring of very cold water, and an unusually fine view; but the place is neglected, uncared for, and abused. A park or common is needed here, as there is a populous suburb near by which has no other place of resort. When I was there, on a hot afternoon in August, a party of women and children came up at the same time, tired and thirsty; but a huge dog was laving in the spring, and the children had to wait till the water ran itself clear again. The neglected condition of the spring and its surroundings invites defilement and abuse, and they are forthcoming.

The region formerly known as Salem Great Pastures was held as common land in early times, but it was all divided into private holdings long ago. Much of it is still used for pasturage. It is separated into two parts by the occupied and inhabited belt along both sides of the highway leading to Lynn and Boston. It is to the portion on the eastern or shoreward side of this belt that

Salem will probably look for the territory for new parks and commons in the future. I could not learn why it is not thought judicious to anticipate these future needs — which, indeed, already impress most observers — and to purchase the land which will be required while it can be obtained at small cost. There is much complaint by the working people of Salem that they are of late hunted and driven from all the places along the shore to which, from time immemorial, they have been accustomed to resort for small picnics and excursions and family and society outings. Members of the police force say they are tired of being sent to drive away little parties of quiet and orderly women and children at the behest, as it often happens, of persons who have themselves no real title to the lands from which they want all visitors expelled as trespassers. There is need of additional public holdings on the shore in this region. For a small party to go to the Willows is often about the same as trying to have a picnic in a crowded street or public hall.

Salem is historically one of the most interesting places in New England. Some of the old houses have been destroyed which should have been preserved; but, of course, they could not all be kept forever. It costs money to acquire these old places and to take care of them. The house in which Hawthorne was born is occupied by an Irish family,—so I was told,—and visitors are required to pay twenty-five cents each for admission. I did not go in. A Committee of Aldermen appointed to designate places of historic interest which should be marked has recently made an interesting report. The prevalence of the witchcraft delusion here was a most sad and pitiful episode in the town's early history. There appears to be a modern tendency to treat it as if it were an amusing or comic subject, which is in the worst possible taste.

The officers and workers of the Essex Institute, and those of the Peabody Academy of Science, have done and are doing most useful work in stimulating and extending historical research, and in promoting the temper and spirit which make history worth preserving. There are many objects of great interest and value in their museums. Mr. John Robinson, who is treasurer of the Peabody Academy of Science, has recently written a series of entertaining articles on the trees of the region. It has been published in the *Salem Gazette*, and should now be issued in a more permanent form, so as to be accessible to the public. Mayor Rantoul and other officers of the city government expressed much interest in the aims of the Trustees of Public Reservations.

MARBLEHEAD

has Crocker Park, a headland on the harbor, given to the town by Hon. Uriah Crocker,—a fine view, rocks, no trees, very steep in places, and not safe in its present undefended condition. Railings are needed at the top of the ledges. There is another headland, or portion of a hill-top and slope, which was given to the town by the Hon. J. J. H. Gregory. This also affords a good view of the water. The Old Burying Hill has few interments of late years, and it is much used as a place of public resort. The title is in the town. The site of the fort on the shore occupied during the Civil War has been improved and cared for by the Town Improvement Association, with the idea that it was a government holding; but the owners of adjacent lands have recently run a fence across the area which had been used by the public, enclosing about half of it and greatly impairing the value of the remainder for public uses. Nobody seemed to have much knowledge of the facts regarding the actual ownership of this piece of ground. Land in such a place is too valuable for it to be safe to assume anything regarding the title. This tract ought to be acquired for a place of public resort, if that is practicable. •

LYNN.

I spent a memorable day with Messrs. Chase, Eliot, and Wigglesworth in the Lynn Woods. This tract of 1,600 acres of land and water is a possession of extraordinary importance. No other of the smaller cities of our country has anything to compare with it in extent. It is a region of unspoiled woodland; and it will so remain, as it is not intended that it shall ever be made a park in the ordinary sense of that word. There is an admirable system of roads, which will be extended; and there will be need of shelters at various points. There will be as little artificial construction as possible, no decorative gardening, no perceptible interference with the wild sylvan beauty which is the essential charm of this great public resort. Its proper official and distinctive name is *The Lynn Woods*, and it is desirable that people who write about it should use this title.

The two wolf-pits are objects of great historic value. I have not been able to learn of the existence of any similar remains anywhere in this country. They are perhaps eight or ten feet

deep, but have been partly filled up by leaves drifting in. I thought them about eight or nine feet long and three or four feet wide. A recent newspaper article described them as circular, with walls narrowing at the top. I suppose the writer thought wolf-pits ought to have that form. But those I saw are parallelograms with vertical walls, their corners right angles, and, in short, with nothing circular or sloping about them. The smooth stone walls were so well laid that they are still not perceptibly out of plumb. These pits should be very carefully protected and preserved, that they may never become mere restorations. Few persons understand their importance; but these ancient walls of stone should remain exactly as they are now for thousands and thousands of years, unless an earthquake or lightning-stroke ploughs them out.

QUINCY

has Merrymount Park, seventy-five acres on the shore, woodland and ponds, given to the city by Hon. Charles Francis Adams in 1885. It has not been improved very much, as one of the conditions of the gift was that the city should not expend more than \$1,000 a year on the park for the first ten years. After this term expires, more will be done for its improvement. Faxon Park, about twenty-six acres of woodland, in the region formerly called the South Common, not on the shore, was given to the city by Hon. Henry H. Faxon in 1885. It is not much improved. Before 1885 Quincy had no park or common. The people went to the beaches, and do now; but there are no public holdings on the shore outside of Merrymount Park. The city was incorporated in 1888, and has now 17,000 people. The Village Improvement Society has recently put up a fine granite fountain, costing about \$6,000, on land belonging to the Street Department, formerly a part of the old training-field.

WEYMOUTH

is fortunate in the possession of Webb Park, which has recently been presented to the inhabitants of the town by Mrs. Margaret T. W. Merrill, of Portland, and Mrs. Nancy B. Jackson, of Boston. The donors are descendants of the late Christopher Webb, a prominent lawyer of Weymouth, who represented the town in the General Court for thirty years or more. This park land was formerly a part of the estate of Major John White, who owned a large

farm here a hundred years ago. Christopher Webb married his daughter, Miss Susan White; and this is a portion of her inheritance from her father's estate. Its area is eight acres. It lies high, overlooking all the Weymouth Fore River country and the numerous islands off shore. In the deed of gift the donors say the land is given to the town "in consideration of our regard for our birthplace, and as a memorial of our honored parents." It was an act of far-sighted beneficence, an admirable and enduring example to the people of other Massachusetts towns.

HINGHAM.

There is a small Common at Hingham Centre, perhaps two or three acres. Fountain Square, near the Hingham railway station, is little more than a slight expansion of the streets which cross each other diagonally there. It has several large fine elms, which were planted about seventy years ago. There are no other public holdings. The town formerly owned a considerable area along the town brook, but sold it at low rates long ago. Much of this land is now occupied by buildings; and the town has repurchased some of it in later times, paying a good price. Melville's Garden, at Downer's Landing, a noted resort on the shore, had 275,000 visitors during the season of 1891. It is a private holding, with restaurant, etc., and brings a great revenue to its proprietor. Such resorts are sure to be multiplied in the shore towns, and to attract an increasing number of visitors from the cities and from the interior of the country. In Hingham I saw the "Old Place" which has been made historic by the story of its renewal, which Mrs. Robbins has told with such extraordinary vivaciousness and interest in *Garden and Forest*. The Agricultural Society has large grounds at Hingham, but they are not used as a place of public resort. Mr. William L. Bradley, dealer in phosphate fertilizers in Boston, owns a great deal of land in Hingham and Weymouth. The people say that he has "a mania for improving grounds," and that he has given to the Hingham Polo Club "the finest polo grounds in the country." The town ought to have a park or reservation on the shore. There are many things of historic interest here, and there should be an increase of popular interest and knowledge regarding them. Some birthplaces of distinguished people should be marked before remembrance of them perishes.

HULL.

There are no public holdings in the town of Hull. The great beach at Nantasket is all private property. Some of the hill-tops and long reaches of shore lands should belong to the town or to the State for the use and enjoyment of the myriads of people from the cities who throng the promontory every summer. The ocean itself is here plainly in large degree a private holding.

COHASSET

has one of the prettiest commons I have seen, about four acres, fine trees and grass, enclosed with a fence of posts with two chains. A church, built in 1743, stands within, about the middle of one side. There is an enchanting view of the water and the shore meadows. The Common is obviously incomplete at this end; and I was told that the town owns an area outside at that point, and that a man living near had obtained permission to enclose a part of this valuable public holding for his own private use. Even if this were included, the Common would be too small for the public need. By permitting such occupancy, several of the shore towns have lost title to land which would now be an important public possession; and it will be interesting to see whether this favored citizen sets up in time the plea of long-continued and undisturbed occupancy as a basis for a claim to title in this town land. There is a comparatively roomy play-ground around the new Osgood School, and the building has more architectural character and beauty than I have seen anywhere else in a school-house.

SCITUATE.

The name Scituate appears to be a corruption of an Indian word, *Sa-tu-it*, accented on the second syllable, and said to mean brook, or cold brook. It is still in use. I think the *meaning* of Indian names is mostly uncertain, and a matter of guesswork now; and the *sound* is more important when it is pleasant or musical, and the name had a local identity in early times. We still have Cotuit, and other names similar in sound. The town had formerly extensive public holdings on the beach. Deane's History says: "The beaches from the third cliff eastward to the river's mouth have been defended from waste by repeated acts of the town, forbidding the removing of stones, etc. Two landings

at the harbor have been preserved by the town, and frequently surveyed for the purpose of keeping their bounds. These came into the town's possession in 1704, when the Conihassett Partners surrendered their highways, etc., to the town." These important shore lands, owned by the town, have mostly been forcibly taken possession of and appropriated to their own use by some of the owners of contiguous grounds. The town has been the theatre of one of the great beach controversies of the country. It has vainly expended thousands of dollars in the effort to defend its rights on the shore. The people have grown weary of the unavailing struggle; and, although the courts have not rendered a full decision on the merits of the case, it is not likely that the town will make any further effort to obtain redress. The men who have seized the public property say to the people of the town, "Come on this beach if you dare!" and, if any citizen drives his team on the shore in the exercise of the ancient right to collect sea-weed or drift-stuff, they meet him with weapons and violence, attack his horses with pitchforks, and are thus able to "hold the fort" against all efforts to maintain the public right to the beach.

In early times Scituate had a large training-field. A long time ago a man sat down on it and stayed there, and the town could not get him off, or it did not; and some of his family are living there still. A fragment of the old training-field still remains unappropriated to private use, and now forms a small common.

The records say that, when this region was first settled by white men, the shores of the bays here were skirted with forest trees quite to the water's edge; and some of the earliest entries mentioned the *live oak* forests in the vicinity of Coleman's Hills. What tree was this which the settlers called a live oak? I suppose the word, as they used it, would mean any evergreen oak. Mentioning this record to Mr. Frederick Law Olmsted, I was much interested in learning that he thought it possible that a colony of live oaks might really have grown along the shore in Scituate, from seed transported from the South by the ocean. Walnut-tree Hill was so named because the black walnut was indigenous there. It was a wild region of woods and waters. There were many beaver-dams, and for nearly a hundred years the town voted every year a bounty for the destruction of wolves. There is still a *town swamp* on the maps here, but the last of this ancient public holding was assigned to various citizens long ago. I copied from the town records of 1706 the statement that eighty lots of cedar

swamp were conveyed to individual citizens by a committee appointed by the town in February of that year. At Hobart's Landing on North River, in Scituate, ships were built as early as 1650. Here the ship "Columbia" (Captain Kendrick) was built by James Briggs in 1773. This was the first ship to visit the north-west coast from this country. Captain Kendrick explored the river Oregon, and named it, after his ship, the "Columbia." Many of the whale-ships employed by the people of New Bedford and Nantucket during the latter half of the last century and the early part of this were built in Scituate. They generally rated from three hundred to three hundred and fifty tons. The largest of which I find any record was built in 1812 by William Delano, nearly five hundred tons.

In 1830 Captain Samuel Barker received a premium from the Plymouth Agricultural Society for the best crop of rye in the county, and two other citizens had premiums the same year for general improvement of their farms. The year before Colonel James Curtis had received a donation for general improvement of his farm, and Thatcher Tilden a premium for the best crop of rye. I think that agriculture in Scituate has rather declined than advanced since then.

An old cemetery here has been much neglected and abused. A public highway has been run through it, destroying many of the graves and headstones. The sites of some of the smaller burying-places mentioned in early histories of the town are probably indistinguishable now. Valuable materials for history have been lost and destroyed in several of the shore towns by the neglect of old cemeteries and the destruction of the inscriptions on old grave-stones.

Queen Ann's Corner has its name from Ann Whiton, who kept a tavern there in 1730 and many years afterwards, where the Plymouth road crosses the town line to Hingham. I copied the earliest marriage notice preserved in the town records: "Resolved White to Judith, daughter of Mr. William Vassall, Nov. 25, 1640." Resolved White came to Plymouth in the "Mayflower" with the first company of Pilgrims in 1620, and had lands laid out to him in Scituate in 1638.

In Scituate I saw the birthplace of Samuel Woodworth, the author of the poem "The Old Oaken Bucket." He was born here, Jan. 13, 1785. He early chose to be a printer, and was apprenticed to Benjamin Russell, editor of the *Columbian Centinel*, in

Boston. He became a busy journalist and a prolific author. He went to New York City in 1809, and in 1823 was associated with George P. Morris in establishing the *Mirror*. The "Old Oaken Bucket" poem was written in the spring or summer of 1817. Mr. Woodworth was then living in Duane Street. He came home to dinner on a warm day from his office near the foot of Wall Street, and took a drink of water, saying that he would rather have it from the old well at home. His wife said, "Selim, that's a pretty subject for a poem"; and he sat down and wrote it. He died Dec. 9, 1842, and was buried in New York; but his family afterward removed to San Francisco, and carried his body with them. It seems a strange allotment of fortune by which his dust was borne across the continent to find a sepulchre by the far Pacific.

I think the birthplace should be marked in some appropriate way. The well and the little old mill appear to remain about the same as when the poet saw them daily in his boyhood. We ought to preserve the well, and perhaps the millstones, which are still in use. The place is visited by an increasing number of summer people, sometimes as many as sixty in a day. It is a wholesome interest, and one to be encouraged, which attracts successive generations of pilgrims to a poet's birthplace; but it cannot always be convenient in its results for the courteous family who now have the care of the celebrated well. Pleasant attention is given to all visitors, and fees frequently offered are always refused. I drank of the water, and found it cold and sweet and apparently pure.

MARSHFIELD

formerly had a Common. In earliest times it was the training-field. The town gave a religious society a perpetual lease of a part of it as a site for its chapel, and then ran a public road curving diagonally through what remained. During recent years various persons have obtained permission to build sheds on the remnants of the Common, and there is not much of it left for future appropriation. That is the story of the parks, commons, and open spaces of the town of Marshfield.

Mr. Seth J. Ventress, who was born in this town, learned to lay brick and stone as they should be laid in structures that are to abide and endure; and he came to know more than anybody else about bakers' ovens and how to build them. He had \$40,000 when he came to die a few years ago, and left \$10,000 in trust to

build Ventress Memorial Hall here, within three-quarters of a mile of the meeting-house, for a town hall and public library. Daniel Webster's grave is in this town, and it is visited by thousands every summer. His birthplace in the town of Franklin, N.H., is not marked in any way.

KINGSTON AND DUXBURY.

Kingston has no park or common or rights on the shore. Duxbury has a town landing, perhaps two of them, not used. The Standish monument is here. It stands on the slope of a hill, because the top, the right place for it, could not be bought for this purpose. The Monument Association owns a small area around its base. It should be considerably extended and improved, and made a convenient and attractive place of resort for great numbers of people. This region is full of interesting local history and historic places.

PLYMOUTH

keeps its old training-green, or some of it, a scant acre now. There is a tract of perhaps five acres around the great statue of Faith, and a small area about the celebrated Rock, down by the water-side. Cole's Hill, where a few of the first burials were made, is a small, steep hill-slope just above the Rock. It is used as a park or place for seats for those who wish to contemplate the Rock or enjoy the view of the water. Burial Hill, five or six acres, is practically a park, and has many visitors. There are few interments now.

The great possession of Plymouth is Morton Park, one hundred and fifty acres of unsurpassable woods, lying along the shores of Billington Sea. Mr. Morton seems to know every tree and every inequality of surface in the park. The city ought in time to own the shore lands entirely around Billington Sea. Plymouth is a very large town. It is eighteen miles across it, from the Kingston line to that of Sandwich. This great region is mostly woods, and is well watered. People say that a man can camp by a different lake every day in the year in this town, but I did not have time to camp by all the lakes or to count them. It is an enchanting region for summer residences, and people are finding it out in increasing numbers. There will be thousands of summer dwellers by these beautiful lakes in a few years. Every acre outside of

Morton Park is a private holding. Intelligent men here say that the permanent reservation of a strip of wood on each side of the public roads would greatly improve them. As a great deal of the land is valued at twenty-five cents an acre for taxation, it would probably not be difficult to make a public holding of a belt a few rods wide on each side of all the principal roads. This would give to extensive regions much of the aspect and character of a park.

The method of keeping the public records of the town has been brought to a wonderful degree of accuracy and convenience. To the student of civilization these records are among the chief attractions of the place. The Pilgrim Society has an interesting collection of furniture, implements, and other articles used by the early inhabitants. It is a valuable instrument for awakening and fostering interest in local history, and influences working to this end are much needed in the shore towns.

SANDWICH AND BOURNE.

Sandwich has no town holding of any kind for a place of public resort. The Sandwich Glass Company had a small common near the glass-works, with large trees and seats for the operatives. It was a pleasant and valuable resting-place for them, but the company has gone out of business and the common is uncared for. There is a piece of remarkably interesting scenery near the wood from Sandwich to Mashpee. It is a vast wooded hollow, or deep valley, which happens to have just the right proportions to be impressive. It ought to be defended from forest fires, and its sylvan beauty perpetuated and made a public possession.

There is no place of public resort in Bourne; and the boys of this town say they have no right to meet anywhere out-of-doors for athletic exercises, amusement, or mutual improvement. Playing ball along the public highway causes complaint and is dangerous to persons passing; and, if the boys assemble in a field or pasture, they are warned away as trespassers. The boys think there should be a town field, or public play-ground; and some of the leading citizens take the same view of the matter. Intelligent men here feel much interest in the law relative to preserving ornamental and shade trees on the highways of the State. It is Chapter 196 of the Acts of 1890. The people here say their roads would be much better if the trees along the road-sides were left standing; that the highways are often injured, and all their beauty destroyed, by

widening them unnecessarily; and that when they are straightened, and the old curving lines are abandoned, the scenic interest and value of the region is impaired, and the drives are rendered unattractive. Half-way between Buzzard's Bay railway station and Bourne are the remains of an old trading-post, which was established here in 1627. The old cellar-pit and its walls are still to a great extent unchanged; but the land has been sold recently and is likely to be improved, and this interesting monument of early commercial activity will probably soon be destroyed.

BARNSTABLE.

There has been considerable successful tree-planting in Barnstable. I walked about a piece of woodland which was planted by its present owner, and which has long yielded valuable annual crops of timber for fuel and other purposes. It begins to look really forest-like. The pitch pine (*Pinus rigida*) is the tree which has been chiefly planted in this region. There are no considerable public holdings for places of resort in Barnstable. Old citizens say the town formerly owned several hundred acres of common or town land, and that these tracts were seized by various persons who were permitted to live on them undisturbed till they gained title by occupancy.

YARMOUTH

had in earliest times a little reserve or common field of clay for making brick for the people. It was much used long ago, but not in recent years. A few years ago the town voted to fill it in and fence it; and it is now a pretty bit of common, with trees and grass, perhaps an acre in extent. There was formerly a town landing on Bass River, but it was sold a few years ago. In early days Yarmouth granted portions of her common lands to various persons, who were to retain these holdings as long as they "improved" — that is, used — them. These titles were not intended to be transferable to other citizens, but to revert to the town if the first holders should leave the lands. But the persons to whom the grants were made sold their rights, or claims, to others, who transferred them in turn; and the town's title was ignored. The town appointed a committee of lawyers and others to inquire into the matter, and they reported that it did not seem to be worth while for the town to undertake to reassert title to these lands. Bass River, between Yarmouth and Dennis, yielded \$600 to each town last year from the sale of the right to the herring fishery.

DENNIS

is a beautiful town, full of quiet, satisfying scenery. I saw a cedar swamp here, with unusually large timber. The "Old Whaling Ground" on the shore is an interesting town holding. The editor of the *Register*, in Yarmouth, who has a remarkable knowledge of the local history of the region, told me that the Old Whaling Ground belongs jointly to the towns of Dennis and Yarmouth, as it was a common or town possession when the two towns were one. There is a very old Indian burying-ground—of the Nobscusset tribe—on the shore of Scargo Lake in Dennis, about an acre in extent. The town fenced it last year. The title is in the two towns, Dennis and Yarmouth. There is no park or common in Dennis belonging to the town. An acre or more around Liberty Hall, owned by an association, is called the Park. It is not at present much used or cared for.

BREWSTER.

There is a pretty little circular green near the church in Brewster which belongs to the parish, and is possibly a fragment of the ancient training-field. There is a town landing on Cape Cod Bay, perhaps two hundred feet of shore line, at the end of a street. The town owns a herring or alewife brook, and appoints an alewife committee at the annual town meeting to catch the fish and dispose of them. Formerly the fish were abundant, and the town would often have 300 barrels of alewives a year. A family of eight persons would then have a right to a barrel of fish, and could buy more at thirty or forty cents a barrel. The committee now sells the fish to anybody who wants them. The gross catch is small of late years, not more than \$100 worth usually. The population is decreasing, but it is likely soon to receive considerable annual re-enforcements of summer inhabitants.

HARWICH.

There is a green of perhaps an acre and a half in front of Pine Grove Seminary in Harwich, the gift of Mr. Sidney Brooks, principal and former owner. The town owns Herring River from Long Pond to the ocean, about six miles, and has recently sold the fishing right for five years for \$615 a year. Three citizens bought it, to enable them to control the water for the benefit of their cran-

berry fields. Some of the people wish the town to sell the public fishing right once for all, finally and entirely,—that is, to relinquish and extinguish this particular town holding; and this may very likely be done before long. There are many fine trees along the streets in the villages of this town; and it is all a charming region, with interesting historic places.

CHATHAM

appears to be the most easterly point in the State. There is no common or park. The town probably has an ancient right in the long beach, but it has not asserted it lately. The marsh hay was formerly sold by the town every year. There is a very old cemetery: the title is in the town. It has not been very well cared for. Some valuable materials for local history have been lost by the deaths of several old inhabitants within a few years. Champlain was here in 1606, I believe, and had some rough experience. He broke his rudder, probably on Pollock Rip, and found it difficult to make a landing. The Indians helped him in; but afterward he had a fight with them, and two of his men were killed. He called the place Port Fortune, and set up a cross on the shore. Some of the people here know the place, approximately at least; and it would be well to mark it in some permanent way. The shore region here is interesting and attractive, and the summer people are crowding in. The depth of the water along this part of the coast is constantly changing, and the wariest navigators meet frequent surprises. One of the greatest chart-makers of the world lives here, and his fame is known in all littoral countries.

ORLEANS

is a town of beautiful landscapes and attractive building-sites, and the summer people are beginning to appropriate them. A wise foresight would provide a large area here for out-of-door rest and recreation, a pleasant reach of shore land, where thousands of inland people might bathe and walk by the sea; but there is no park or common or public beach. The time is coming when there will be throngs of people here all summer long,—and in the autumn, too, for that matter, for the autumn is the best part of the year on the Cape; and when there will not be much more space or freedom for them than convicts enjoy in the State prison, marching in lock-step to dinner and away from it again. The

summer dwellers here will have their rooms in the cottages, and in great hotels and boarding-houses; and they will have the freedom of the sidewalk and the public road. There will be no rambling over breezy uplands or musing where the rolling surf beats and thunders on the shore. The uplands will be an almost continuous village, and the shore everywhere will be in somebody's back yard. Those who wish to see the Cape country before its wildness and freedom are displaced by the new stage of civilization, with its warnings "Private Grounds" and "Keep off the grass" forbidding visitors to leave the highways, should visit it within the next few years.

Orleans can advertise one attraction which I suppose not many towns can rival. The almshouse is not needed for its original purpose; for long and long it has had no pauper tenants, and has been constantly let for a dwelling. Think of living in a town where even the poorhouse brings in an annual revenue! Who says the Cape is a barren region, and poor? There are many inland ponds or lakes here, some salt, many fresh. If they had been made expressly for purposes of pleasure and recreation, they could not have been better.

The Orleans Cemetery Association owns the new part of the cemetery. It is on a hill, with a fine view of the ocean and bay; and the summer people go there in numbers. The old part is not so high. The title to it is probably in the town. There are three windmills in Orleans, each about one hundred and fifty years old. A man from the city with a new place here thought he would buy one of these mills, and set it up in his grounds as an article of "bigotry and virtue"; but the owner of the mill asked \$300 for it. The summer resident concluded that he would try to get along without a windmill, and the "boom" in these antiquities came suddenly to an end. The town clerk bought one-fourth of the one at Orleans village for \$25, and it pays for itself by its tolls every year. These mills are about thirty or thirty-five feet high, and twenty in diameter at the base, which is square or octagonal. They are not picturesque objects, though it is the fashion to say they are. They are too small and all their lines too severely simple to be impressive, and they are interesting only because they are unfamiliar to most visitors. There is a valuable public library here, and the town owns a very small area around the library building. The town hall lot should be considerably extended while land is cheap. It is by far too small for permanent

public convenience. A number of the leading citizens here are much interested in the objects of the Trustees of Public Reservations, and will aid them in any convenient way. There was a meeting here early in December to consider the need of open spaces for public resort. After experimenting with the topic at meetings in Boston and at Provincetown, I found here that an average country audience responds readily to a direct presentation of the essential facts and obvious deductions related to this matter. It is always interesting to try the effect of a new subject on audiences of different kinds.

EASTHAM

has no considerable public holdings. The early history of the town is interesting, but it receives little popular attention. I noted that in 1705 the town voted to fine any freeman living within seven miles of the polls, if he failed to attend an election. Some interesting experiments in asparagus culture made here during the last few years give promise of a new and highly profitable industry for farmers and market gardeners; and excellent turnips are grown in this region. Under existing local conditions, such facts are of great interest and importance.

WELLFLEET

is an attractive town. All its interests are at present much depressed by the decay of the old industries of its people,—fishing, whaling, and boat-building. Much land has been bought here by non-residents within a few years, but not much of it has been occupied or improved. The town formerly owned Great Island and Beach Hill, but sold these holdings a few years ago to Mrs. France B. Hiller, of Wilmington, Mass., who also bought much land of private owners in the town. I believe she is to expend a specified sum within a certain term of years in improving the lands bought from the town, otherwise the title will revert, and the property become again a public possession. No improvement has yet been made. People in the town say that many persons made claims for compensation for their rights in one of the private estates bought by Mrs. Hiller, and that “she bought them out, a thousand of them, for a dollar apiece. Whoever wanted a dollar said he was one of the heirs; and she paid him a dollar, and he

signed away his right, whatever it was." Perhaps this is the beginning of the growth of a legend.

The town long ago planted a considerable tract on Great Island with pines, and they have grown well. It owns a small piece of woodland,—no one knows its area,—which supplies all the fuel needed for the schools of the town, and will do so for many years to come, though the timber does not grow as fast as it is cut. It is but a few acres in extent, and is said to have belonged to the last survivors of an Indian tribe, and to have reverted to the town at their death. Wellfleet recently bought a play-ground near the High School building at a cost of \$150. The area is 280 by 286 feet. There is an old cemetery on Taylor's Hill, owned by the town. Its dimensions are 171 by 144, 149, and 167 feet. Beach grass, no trees. The hill is 70 or 80 feet high. There have been no interments for many years. A land company is operating at South Wellfleet, and has sold hundreds of lots. Wellfleet had once 160 sail of sea-going vessels, now not over 20. The valuation of property for taxation is declining. A profitable beginning at garden-farming has been made here and in the next town, Truro; and there is room for a great extension of this industry in both towns.

TRURO

has no park or common or right on the shore. Several small pieces of land have at different times reverted to the town by non-payment of taxes. They are held by the town officers, and sold when anybody will buy. They are mostly woodland without much wood, and will be sold cheap. They are not suited for reserves or places of public resort. There is an old cemetery at North Truro, about four acres, perhaps. It is cared for, and much of it is grown up with the beach plum, which forms an almost solid mass of stiff, thorny brush, or "scrub," in time an impenetrable thicket. The valley of the Pamet is a picturesque region, with qualities to woo the heart of an artist,—views across the breadth of the Cape everywhere, of the bay inside and the ocean outside, and twice a day the tide-filled river. The population of the town is below one thousand, less than half what it was forty years ago. One-fifth of the present inhabitants are Portuguese immigrants. They have been here a long time, but still have some "foreign ways." The New England people do not seem inclined to hold "the land where first they trod." Many of them have gone

farther, and fared worse. There are some historic places in Truro which should be marked; and the early history of the town is worthy of far more attention than it receives from the present inhabitants. Popular interest in the local history will probably have a new development, as Mr. Shebnah Rich, of Salem, has written an interesting and valuable history of Truro. All visitors here go to Highland Light. I refer my readers to the accurate and entrancing description of the excursion in Mr. Frank Bolles's new book, "The Land of the Lingering Snow." All this shore should be forever accessible to the public.

CAPE COD.

I have just reread Thoreau's book on Cape Cod. It is interesting, but one-sided, as it was meant to be. The author walked along the shore, keeping to the very edge of the water nearly all the way down the Cape. He did not see the country inland, did not care to see it, and appears to have had an entirely erroneous idea of it. He says himself: "Our story is true as far as it goes. We did not care to see those features of the Cape in which it is inferior or merely equal to the mainland, but only those in which it is peculiar or superior. We cannot say how its towns look in front to one who goes to meet them: we went to see the ocean behind them. They were merely the raft on which we stood, and we took notice of the barnacles which adhered to it, and some carvings upon it." The Cape region is much better wooded, has better soil, and is far more interesting and attractive than his account of what he saw along the beach has led people to believe. His book is usually read as if it were an adequate description of the Cape country, and it has no doubt had an unfavorable effect on the interests of the region; but all his readers should make large allowance for Thoreau's love of paradox, even when he has seen what he describes. I suppose that what he says of the few people whom he saw during his excursion is strictly true; but it does not apply to the Cape people in general any more than to the people of the author's own town of Concord, or, to give a better idea of it, it is exactly of a piece with his description of Boston: "I see a great many barrels and fig-drums, piles of wood for umbrella-sticks, blocks of granite and ice, great heaps of goods, and the means of packing and conveying them, much wrapping-paper and twine, many crates and hogsheads and trucks; and that is Boston.

The more barrels, the more Boston. The museums and scientific societies and libraries are accidental. They gather around the sands to save carting. The wharf-rats and custom-house officers and broken-down poets, seeking a fortune amid the barrels, their better or worse lyceums and preachings and doctorings,—these, too, are accidental."

The wonderful "Cape country," with its indefinable charm, seems to me the most interesting region in New England, or anywhere. There ought to be a new book about it. It has no such place in our literature as it deserves. Most New England people know little more about it than they do about Arizona. As I walked through it, the extraordinary purity of the air made me feel that I should like to be a gypsy and camp out in all the towns.

After we pass Chatham, going down the Cape, the atmosphere is the same as if we were on a small island far out to sea. Every possible breeze is a sea-breeze, no matter from what quarter it blows. I once camped out for a while in the snow on the mountains, in the Crater Lake region; and that is the only time I have ever tasted elsewhere an atmosphere so vivifying as that of the Cape Cod country. The number of ponds and lakes on the Cape is much greater than most people know; and the island scenery is serene and restful, but not dull nor tame. For people who want sea air our country has no better region; and in a few years it will be thronged and crowded by summer dwellers, from Provincetown to the shores of Buzzard's Bay. It will be a paradise for women and children as long as the wildness and freedom remain unspoiled. Unless great areas here are made public holdings, free for the people's enjoyment forever, the time will come when the tired dwellers in the cities, and in the vast interior of our country, who are driven by the heat of summer to seek rest and new life by the sea, will find here the city over again, and be "cribbed, cabined, and confined" in conditions very like those from which they are trying to escape. That would be a sad sight for thoughtful men.

MASHPEE

is in some degree an Indian town. At any rate, it is Indian enough to be interesting. Before 1834 there was a reservation here, managed by the Commonwealth; and the Indians were oppressed and depressed much as Indians usually have been in this country. But

since 1834 the people here have constituted a town, with the same organization and relations to the State which other towns possess. These Indian people are poor, and they appear to have rather more public spirit than the average white people of this country. The town officers are Indians, and the town records are admirably kept. One of the principal Indian men here was born in Boston, and has seen much of the world as a sailor. He is a man of broad and varied intelligence, and of very substantial intellectual character. He was a representative in the Massachusetts legislature some years ago. He resembles in an astonishing degree, in looks, manner, and speech, some of the principal men of the Sioux Indians of Dakota with whom I am acquainted. The Indian town clerk is a very valuable man in his office, and I hope he will be retained in it for a long period. I tried to persuade these Indian people to select a boy having sturdy health, prepare him well, and send him to Harvard; and I hope they will yet do this. This Indian town has, of course, white people in it; and they, as individual citizens, take equal part in affairs. Mashpee has no holdings for places of public resort. The village is "beautiful for situation," on the shore of Great Pond, which is a lovely piece of water, with shores wooded nearly all around. A hill on the shore of the lake at Mashpee village has a fine grove of pines on it. A dozen acres here would make a beautiful and valuable reserve, and the town ought to have it; but the people are too poor to buy the land, though it would not cost much now. The summer visitors here need it already, and will need it more and more. They have only begun to discover this beautiful region. The view from the head of the lake, on the road from Sandwich to Mashpee, is one of great beauty and interest. Mr. Benjamin Boardley, a colored man who lives here, is a manufacturer of philosophical instruments; and he is also building a steamboat to run on the lake for excursions for the summer business. The three pretty islands in this lake are owned by a company of friends, Mr. Cleveland, Mr. Gilder, the editor of the *Century Magazine*, the two Jeffersons, father and son, and another gentleman. The hotel at Mashpee is one of the best in the shore towns. It is not kept by an Indian, but by a man from New Hampshire. A cove in the mill-pond near the hotel is filled with the Egyptian water-lily, *Nelumbo luteum*, which flowers abundantly, and yields valuable revenues. The seeds from which it has grown were obtained from a well-known New Jersey florist.

FALMOUTH •

has no public holding except a town landing, which is not much regarded. I called on Mr. Joseph Fay, Senior, who has had much experience in tree-planting. The people in all that country say that he has not only planted thousands of trees himself, but has influenced other men to plant many more. He formerly planted Scotch pines, but afterward concluded that they are inferior to our native trees for planting in this country. He thinks trees can be made to grow almost anywhere, and that any seashore waste in this State can be reclaimed by the methodical planting and care of suitable trees. Mr. Fay has a piece of beautiful pine woods, about fifty acres, which he bought many years ago to preserve it. It is an old picnic ground, and much used public resort. He says it is wrong for towns to yield their public holdings to the attacks of private greed, and regrets the lack of spirit to contend for public rights, as it is this spirit which has built up the structure of protecting laws and institutions for our civilization.

WAREHAM

has no public holdings for public resort. An area large enough for a pleasant green in front of a church is claimed by two men, and the court adjudged the right to improve the land to the two acting together. But, as they do not act together, the land cannot be improved; and it lies waste and unattractive. There are some beautiful white oak trees in Wareham which, in form and at a distance, resemble the live oaks of Louisiana and Texas.

MARION

has beautiful woods along the shores, all private holdings. Mr. Richard W. Gilder, the editor of the *Century Magazine*, lives here in summer. A great rock, which has a large white pine growing up through it in a curious way, was about to be broken up, when Mr. Gilder and some of his friends interposed and paid the price asked for the rock; and it is thus preserved for the present at least. It stands just at the side of the street, and is an interesting and attractive object. But a small area of land around it should also be bought, so as to provide for the permanent preservation of the rock. This bit of public spirit is an example that should be followed in many places. It is an easy and pleasant way of having

one's name remembered, and there are innumerable opportunities in the shore towns.

MATTAPOISETT

has two bathing-places, beaches on the bay shore, each perhaps 100 feet square, four bath-houses and a pavilion. There is an old cemetery to which the town holds title. Some years ago the town obtained a special act of the legislature, authorizing the formation of a park to include the entire water-front of the village, all the land between the main street and the water's edge. The ground was very cheap then; but the plan was opposed by two or three persons, and was given up. Now the land has all been taken up by the summer people in private holdings, and its purchase by the town would be impossible. There is no park or common.

FAIRHAVEN

has no park or common, no considerable area around schools or churches, no play-ground for children. The town tried, about twelve years ago, to buy a square for a common; but the project was opposed and relinquished, and now the town has nothing of the kind except Fort Phoenix, an area of about four acres, to which the United States government holds title. Mr. C. J. Tripp is custodian of this property by appointment of the Secretary of War. The trust could not be in better hands. Mr. Tripp is Chairman of the Committee on Property of the vigorous Town Improvement Association here, and has had charge of the fort about five years. The view from the grassy parapets is remarkably fine. In warm weather there are from 1,000 to 2,000 visitors daily. There is a café and dwelling on the ground. The Improvement Association is trying to buy the guns of the fort,—which the government offers for sale,—in order to mount and retain them permanently in place on the walls, thus adding to the interest and attractiveness of the fort as a place of resort. There are five guns, rifled twenty-four pounders, made at West Point for the Mexican War. A man on the Hudson bids against Mr. Tripp for the guns. He wants them to adorn his lawn at home.

There is a bathing-ground on the beach to which the Improvement Association hopes to acquire title. It is now held by some of the members, as the Association cannot go in debt. The society was started to set out trees; but Mr. Henry H. Rogers, of

the Standard Oil Company, now buys all the trees needed by the town, and the selectmen plant them. Mr. Rogers is building a costly library and town hall for the town. There is an old Indian burying-ground at Sconticut Neck, now covered by a grove of trees. There is a cannon at the centre of the village which was captured from the British in the war of the Revolution. The Improvement Association has placed a bronze plate on the gun, with an inscription reciting the main facts in its history. John Cook, the last survivor of the Pilgrims, is buried in Fairhaven; and the Improvement Association will take care of his grave and erect a monument.

NEW BEDFORD

has a population of 45,000 and a Common of seven acres and $\frac{77}{1000}$ of an acre. There is a driveway eighty feet wide around Clarke's Point. The long, winding bridge, or causeway, across the Acushnet River, between New Bedford and Fairhaven, is painfully crowded on summer evenings. It is very narrow, hardly more than space for the wheel-way. People on foot are in constant danger of being run over by carriages, as they can scarcely avoid obstructing the drive if they resort to the bridge at all. The abundant dust is a source of extreme discomfort; but this bridge, or causeway, crosses the wide water, and along its course one meets the delicious breath of the sea. It is the only path of escape from the heated city on summer nights, and it should be greatly improved. It ought to be broadened, so as to make it a comfortable and clean promenade for the thousands of men, women, and children who would seek coolness and refreshment here if there were room for them. It would promote the health, happiness, morals, and civilization of the city.

DARTMOUTH

has no public holdings for places of resort. There are two or three landings on the shore, at the end of streets or roads.

WESTPORT

has town landings on both sides of the river at the head of Westport,—an area of perhaps four or five acres in all. Part of it is leased to citizens for building purposes. There is a place on

Horseneck Beach, about two acres, owned by the town, a highway, landing, and watering-place. There are no commons or parks.

FALL RIVER

has two parks,—North Park, 15 to 20 acres, South Park, 60 acres. There is a public bathing-place, but it is not in good condition: it might be made so by a breakwater. Leading men here and in New Bedford say that the operatives in the factories appear not to value or use the parks so much as is desirable. They seem to need some kind of out-of-door amusement or means of entertainment to attract them to the parks. They stay indoors too much, and go to poor, miserable shows in hot, close halls and theatres, when they should be in the open air. Is this a new problem or an old one? It would require time and considerable special observation to ascertain to what extent the working people of Fall River use and enjoy the parks provided by the city, and what benefits they receive from these opportunities for recreation in the open air. No doubt the journalists of the city could give us interesting and valuable information on these subjects, and their discussion of them would awaken general attention.

I believe there are forty-six of the shore towns and cities of the State named in these notes. Only Newburyport, Manchester, Salem, Lynn, Quincy, Weymouth, Plymouth, and Fall River can be regarded as fairly well equipped with parks and commons. Perhaps Essex should be included in this list. Rowley, Marblehead, Hingham, Cohasset, and perhaps a few other towns have small commons; but most of the shore towns have no park, common, or open space of any kind to which the people have a right to resort. New Bedford, with 45,000 people, has $7\frac{3}{4}$ acres of Common, nothing besides; and Gloucester, with 25,000 inhabitants, has no public area of any kind.

While my principal errand in the shore towns was to find out what open spaces for public resort have already been provided, I also tried everywhere to learn as much as possible of the industries and resources of the people, of their thought and public spirit, of the local history and whatever might be of interest to the students of civilization or tend to promote the objects of the Trustees of Public Reservations. I found everywhere recent changes in the ownership of land, and a movement of people of means from

the cities and the interior of the country to the shore regions of the State. I found leagues and leagues together of the shore line to be all private holdings, without the intervention, in these long reaches, of a road of space on the shore to which the public has a right to go. I walked across the domain of one man who owns about six miles of shore line. I found a great population inland hedged away from the beach, and all conditions pointing to a time, not remote, when nobody can walk by the ocean in Massachusetts without payment of a fee, as we formerly had to pay for a glimpse of Niagara. I could see that the movement for more open spaces for public resort—for the use and enjoyment of the people—has most vital relations to civilization, and that it has been instituted in response to a pressing need. I note some of the impressions which were oftenest repeated and most distinct.

1. Except in a few instances, the public holdings in these towns have not been measured, and their area is unknown. It would be well to have them accurately surveyed, the bounds marked, and their area made a matter of public and authoritative record.

2. In a large proportion of the shore towns the public holdings have diminished in extent. Not only have all the old common lands, town pastures, and woodlands and extensive shore holdings been parcelled out to individual possession, but many of the towns have permitted serious encroachments upon the smaller public holdings which were intended by the founders and early inhabitants to be permanent. In many instances it is evident that the first settlers had a pretty clear idea of the value and need of open spaces for public use in towns and villages, and they showed commendable foresight and public spirit in providing for them. But in later times the public holdings in many of the towns became the object of perpetual assault and invasion, and an astonishing amount of energy and ingenuity has been employed in the effort to appropriate the public property to private use and possession. In some cases, it seems as if equal energy in any legitimate industry might have brought prosperity to men who always remained poor. They appear to have attributed their poverty to the fact that there were still some small remnants of the public holdings of their towns which they were not permitted to appropriate. Those who have wished to despoil and appropriate the property of the town have, however, usually found their opportunity and incentive in the indifference of the community regarding public rights and duties; and invaders of the public holdings have gained title by

undisturbed occupancy. Very often the man who has wrongfully seized and kept the largest portion of the town lands is regarded with admiration. "He was too long-headed for the town: he beat 'em at last."

3. In a large proportion of the shore towns there are no commons, parks, or open spaces of any kind for public resort. In many of them some inconvenience is already felt on this account, especially in the matter of places for picnics and out-of-door assemblies of the country people.

4. Wherever the summer people have bought places on the seashore, they show a disposition to exercise the right of exclusive domain, and to repel as trespassers all who enter upon their grounds for any purpose whatever. In some instances, people are thus excluded from places where rights of public resort and passage have been exercised for generations. Even where the ancient legal rights of the people are clear, they are being generally relinquished because it costs too much to maintain them against such aggression.

5. The most important feature in the present condition and prospects of the shore towns is the change in the population which is going forward everywhere, and the resulting transfer of the title to the land to new holders. This movement has begun in every one of the shore towns of the State, and is proceeding with varying rates of advance in all of them.

6. There is a general movement of moneyed people from the cities and towns of the whole country east of the Mississippi River to the shore towns of Massachusetts. Individuals, companies, and associations are buying lands everywhere along the shore. Besides what is done openly by buyers who are known and recognized, in most of the towns some citizen acts as agent for principals who prefer not to be known. Several of these agents say they are buying for New York men; but capitalists from various interior cities are investing here. In a few cases, such holders would be glad to sell,—at their own price, of course, and in these instances the "boom" element is apparent; but usually the land is bought for long holdings, or with a view to its sale to persons able to have good houses and large grounds. It is largely a movement of people with means to enable them to build and maintain comfortable mansions for either summer occupancy or permanent residence by the sea. The extent of some of these new holdings on the shore is remarkable and ominous.

7. Except at Salisbury Beach and on Plum Island, and at a few other places, there is not yet much foresight of the need of sites for summer cottages to be leased to people of moderate means. Most of the real estate men prefer to sell their land outright. They do not want the trouble of leasing it or collecting rents, though this would often be more profitable. They hope to make a great deal of money at once; and this hope is more attractive to them than a permanent revenue from property requiring supervision and management. Yet even money requires some care and oversight, unless it is handed over to the endowment societies or invested in some of the *insecurities* with which Massachusetts people have made acquaintance during the last few years. I think that at some points on the shore money might yield a good return if invested in cottages or cottage sites to be rented to persons of small income, or that this problem is at least worthy of attention and investigation.

8. Many farmers in the shore towns have sold their old fields and woodlands at very low prices, being rather surprised to find they could obtain anything for their land. When it sells at a great advance soon afterward, they feel that "the time is out of joint." In some towns land is rated as low as twenty-five or fifty cents an acre for taxation, and for many years it could hardly be said to have a selling price at all. But now, when the native farmers sell their land, they ought to have fairly good prices for it. Many of them are not likely ever to own any land afterward.

9. Many of these men will be obliged to engage in new occupations, in order to make a living. The industries of the shore towns will be greatly changed by this movement into them of numbers of people who seek only residence and recreation. Population of this character does not invite or support manufactures, but distinctly repels them. The old industries of fishing, whaling, and ship-building, are nearly extinct; and new employments have not been developed in any considerable degree. There is much depression, anxiety, and hardship in many shore towns in consequence of the failure of the old means of obtaining a livelihood. There will be opportunity for some young men in the employ of the summer residents as coachmen, gardeners, and common laborers; but such communities do not offer employment to many laborers of any class.

10. It is time to inquire what resources or opportunities will remain for the native people of the shore towns, or for any perma-

nent population besides the summer inhabitants. There is one resource which has received comparatively little attention of late,—the soil. I have carefully examined the soil, and the conditions of agriculture, in nearly all the States of this country, and the soil of most of the shore towns of Massachusetts appears to me to be much better—and to have much greater capabilities—than the people of the State have yet recognized. This is true especially of the soil of the Cape Cod country. It is better than the soil of Southern New Jersey; and I have seen many Massachusetts men in Dakota, Montana, and Idaho enduring great privation in the effort to make a living in regions much more forlorn and hopeless than any I have found in the shore towns of this State. The capabilities of the soil should be tested. It is not known what can be profitably grown here. Asparagus has been tried in Eastham and Orleans with very encouraging results, and turnips are grown in other towns which are said to distance all competition. The cranberry industry is still expanding, and it is probable that in many of the towns fruit-growing and market-gardening can be profitably extended almost without limit. I think these towns might yet support a great population by a highly developed agriculture and horticulture, and this would tend to delay the complete absorption and appropriation of the shore regions by summer residents from the cities. This would render the transition to new conditions less sudden and abrupt than it is likely to be without this modifying effect, and such a postponement of the coming change is in every way desirable. If the farmers and land-owners of the shore towns can adapt themselves to the new conditions of life, and make a good living out of their land, they would better keep it, and stay where they are. But the army of summer incursionists will win in the long run, and will ultimately “occupy the land,” as few American farmers have foresight enough to hold out against the offer of “a good price.”

11. For any considerable improvement or development of the resources of these towns, two things are indispensable: *first*, a readier acceptance of the necessity of downright hard work; and, *second*, an increased flexibility of mind and disposition on the part of many of the native inhabitants, enabling them to recognize the changing conditions of the time and to take advantage of the opportunities which these changes present.

12. Although this movement and incursion of a new population is going on all around them, many of the present inhabitants are

not aware of it. They know that two or three farms near them have been sold, and have heard that a land company has bought a stretch of shore in the next town; but they do not put these things together, or see their connection with an extended movement. They have not observed that there is any movement or tendency in any direction, except that "times have been getting worse for some years now." They "rail at fortune in good set terms," and would rather rail than work. They lament the decay of the old good times when their town had a fleet of several hundred sail, and every man on Cape Cod was the captain of a ship; and they have no perception of the chances which the present time presents. This lack of recognition of the facts of their own situation, and want of flexibility or power of adaptation in dealing with these facts, sometimes leads them to neglect and reject opportunities of great value.

13. Some of the native people have a feeling of impatience regarding the changed conditions around them. They are depressed, querulous, and "snappish," and so make an unfavorable impression on strangers who are looking for land, or studying the country with a view to a choice of regions for investment. They do not think of the possible effect of civility or its opposite upon their own interests and affairs. They answer a traveller's question in a way that sends him into the next town for information which they could easily give, and then—"I didn't suppose *he* was lookin' for land."

14. In some towns a wholesome competition in hotel-keeping would be of great benefit to the business interests of the community. There are some good hotels which attract summer visitors, and give strangers favorable impressions of the village and surrounding country. Others reminded me of the mining-camp lodging-houses in the Rocky Mountain and Coast Range regions. Some of these shore-town hotels exert a potent and decisive influence in keeping people away from their neighborhood. I saw a New York man treated very uncivilly by the clerk and the crowd of hangers-on in the office in one of these houses. As we walked to the railway station next morning, he remarked: "Some men are naturally civil: they are born that way. A man with any sense learns to be civil, because his business requires it. But some infernal fools won't be civil even when they could make money by it."

In another place I was talking with a town officer by the road-

side early in the morning, when some Boston people came along. They had passed the night at the hotel, and, finding it intolerable, had started out early to try to find breakfast somewhere else. The ladies of the party were homesick, and wished they could take a train for Boston at once, without waiting for anything to eat. The men joked the resident about his town and the hotel. He laughed, but made a gesture of vexation as he replied: "Yes, it's an old story here. Everybody complains of them. Those who go there never want to see the place again. It would pay the town to buy the house and shut it up."

15. It is about as certain as anything in the future can be that all the pleasant and comfortable sites along the seashore of Massachusetts will be taken up within the next few years, either by summer dwellers or permanent residents. The movement toward the shore has only fairly begun, and it is certain to increase with the density of the population of our country and the growth of wealth. Even now along vast reaches of the coast there is no area outside of the narrow highway to which the public has a right to go to enjoy the sight or the air of the sea. These conditions will be intensified, and the people of the State will be excluded from all interesting and attractive portions of the shore. These are abnormal and undesirable conditions, unfavorable to health, happiness, and civilization; and all possible wisdom and foresight should be employed in the effort to secure adequate open spaces for public resort at different places along the shore.

16. Two questions constantly present themselves to a student of civilization observing present conditions and tendencies in the shore towns.

(a) Should there not be a broad public highway or strip of public land along the whole length of the seashore of the State? It need not always follow the water's edge, perhaps, but could be carried inland above the worst marshes.

(b) Would it not be well to consider the question of limiting the length of the shore line or ocean front of private holdings? The extent of the shore line of the State is impassably limited, while the population of the country is certain to increase to an extent which is at present almost unimaginable. Is it consistent with the public welfare that a few persons should have the absolute possession and control of unlimited areas of the shore? What are the reasons which justify such a monopoly? With all possible regard for private and individual interests, it is proper to inquire what

actual benefits a man derives from the exclusive ownership and occupancy of four or five miles of seashore. The problem of title to the shore, and of the use and enjoyment of it by the people of the State, will in time be a most vital and important public question here.

17. The subject of adequate play-grounds is forcing itself upon public attention in some of the shore towns. where the right of peaceable assembly out of doors is denied to boys, and they have no right to meet anywhere in the open air for athletic exercises, amusement, or self-improvement. Every village and neighborhood should have out-of-door places of resort for the happy play and education of the children and youth of the region.

18. The newspapers everywhere have been most prompt and cordial in their recognition of the undertaking, and their aid has been so intelligent and efficient that the popular knowledge of the objects of the Trustees is much more extensive and substantial than we could have expected would be produced in so short a time. There is, however, no reason to suppose that the objects of the movement can be attained without considerable direct effort to promote and support them. Means will be required for the systematic propagation and diffusion of ideas until the people of the State in general regard the enterprise seriously, and recognize its relations to the public welfare and to civilization. If the movement is to be adequately successful, much repetition will be necessary in the educational work required for the production of a distinct and fruitful impression on the public mind.

19. Most people are so busy that but a limited amount of unemployed mental alertness or energy remains available for the objects of this movement. There is always much vague talk about progress, or the capacity for it; but no analysis of the subject has been seriously attempted in this country. I suppose the most that can be said by thoughtful men and women regarding it is that a narrow zone of improbability runs through the life of the best races. It is broader at some times than others, but it is never very wide. How far it extends can be ascertained only by strenuous and intelligently directed effort to occupy and utilize it fully. Few efforts to influence public opinion are intelligently directed, and the methods employed for this object are usually haphazard and unscientific.

20. I think the Trustees should have a library, and collect all local histories, and whatever materials for local history may be available in any form in the State. Some of the old town histo-

ries are very valuable, and copies are becoming scarce. All town reports should be collected and preserved, and also the reports of certain boards and commissions. The work of the Trustees will doubtless produce a general increase of interest in local history,—a most wholesome and desirable result. In many of the shore towns the descendants of the oldest families, although educated in the schools of the State, are almost entirely ignorant of the history of their own towns, and of the part which their ancestors had in it. Many of the teachers in the schools are no better informed in relation to this subject. The complete lack of popular interest regarding it is often astonishing. In one of the towns the two hundred and fiftieth anniversary of the organization of the church came and passed without any observance or recognition whatever. There was not even a prayer-meeting, or any allusion to the date in the sermons or services either before or after it. I think that every town should prepare a brief compend or manual of the principal facts in its own history, and should require its adequate study and teaching in the town schools. It would be the natural introduction to the study of State and United States history. Once each year the schools should visit the most important historic places in the town.

21. The neglect and desecration of many of the oldest graveyards in the shore towns is a matter for most serious regret. I have not mentioned half the instances that came under my observation. I soon found there were too many of them for separate description. The story became monotonous. It is unaccountable that in some cases, with vast areas of barren and worthless ground on every side, the committee should have chosen to run a public road directly through the old cemetery, thus violating the graves of the forefathers, and destroying the headstones by which alone the resting-places of their dust could be identified. The sites of some of the smaller early burying-places are perhaps irrecoverably lost and indistinguishable, but steps should at once be taken to mark and protect all that remain.

22. It was encouraging to find so many highly civilized men in the office of town clerk,—and out of it. My thanks are due to the town officers and citizens in general everywhere.

With thanks, gentlemen, for your kind courtesy, and heartiest wishes for your success, this report is respectfully submitted. I am

Very truly yours,

J. B. HARRISON,

Agent.

APPENDIX II.

THE PROVINCE LANDS AT PROVINCETOWN.

SPECIAL REPORT BY J. B. HARRISON.

These lands are undoubtedly the property of the Commonwealth, and thus constitute an important and extensive public reservation already in existence. They comprise all that part of Provincetown lying west of the westerly fence of the eastern school-house, and extends southerly from the said fence about eighteen degrees east to the harbor, and from the said fence northerly about eighteen degrees west to the ocean. A large part of the village of Provincetown stands on this land, and besides the tract thus built upon there is an unoccupied area which the town officers estimate at 4,000 acres.

At a very early period in the history of the colony these lands were, by specific action of the government, reserved as a colonial fishing-ground, and from it the colony obtained a varying revenue. At a later date this territory was set apart as a fishing-right to be held in common by the people of the province. The records of the colony show that it was enacted by the court in 1661 that no stranger or foreigner shall improve — that is, use — our lands or woods at the Cape for the making of fish without liberty from the government, and that all who obtain the privilege shall obey orders, and pay sixpence a quintal for the colony's use for all the fish they catch. In 1670 the colonists were required to pay sixpence a barrel for mackerel caught at Cape Cod, and foreigners one shilling and sixpence. After this there is a long succession of grants and regulations for this fishing-ground, which constantly assert the title of the colony to these lands. Some of these grants were made to support schools, some for bounties for soldiers or their widows. In 1690 the court specifically asserts its possession of all the soil and royalties at Cape Cod.

In 1736 three men, as agents for the inhabitants of the Precinct of Cape Cod, presented a petition to the court asking that the

precinct be made a town, and the court granted the request, with this condition, "Provided it do not prejudice the right and title of the province to the lands nor obstruct any person in the fishery, which is a privilege in common." The precinct was made a town in 1727, and called Provincetown, and in the act of incorporation the term "province lands" is first used officially. This is the act:—

"Be it enacted, etc., That all the lands on said cape—being province lands—be and hereby are constituted a township by the name of Provincetown, and that the inhabitants thereof be invested with the powers, privileges, and immunities that any of the inhabitants of any of the towns within the province by law are or ought to be invested with; saving always the right of this province to said land, which is to be in no wise prejudiced. And provided that no person or persons be hindered or obstructed in building such wharves, stages, work-houses, and flakes and other things as shall be necessary for the salting, keeping, and packing their fish, or in cutting down and taking such trees and other materials growing on said province lands as shall be needful for that purpose, or in any sort of fishing, whaling, or getting of bait at the said cape, but that the same be held as common, as heretofore, with all the privileges thereunto in any wise belonging."

From 1727 to 1854 there is, so far as I can ascertain, no record or indication of any abandonment or modification of the title of the province or Commonwealth to these lands, and in 1854 the legislature enacted that

"The title of the Commonwealth, as owner in fee to all the province land within the town of Provincetown, is hereby asserted and declared, and no adverse possession or occupation thereof by any individual, company, or corporation for any period of time shall be sufficient to defeat or divert the title of the Commonwealth thereto."

"The provisions of the 12th section of the Revised Statutes, chapter 119, shall not be held to apply to any of the province lands in said town of Provincetown."

These paragraphs are sections 8 and 9, chapter 261, of the Laws of 1854. The 12th section of chapter 119, here referred to, provides for the acquisition of title to land by undisputed possession or occupation for a prescribed term of years; and these province lands are expressly excepted from its application.

The people living on these lands are merely occupants and

holders. They buy and sell the land, and give, receive, and record warranty-deeds ; but these, though they may be good as against the claims of individuals, are of no force or validity against the right and possession of the Commonwealth, which holds by an absolute title, indefeasible by adverse possession or occupancy by any individual, company, or corporation for any period of time.

There is no reason to suppose that the State will ever disturb or eject these occupants of the lands belonging to the Commonwealth. Nobody, so far as I know, is in favor of any interference with the occupancy of those who have been permitted to appropriate portions of these common lands to their individual use ; but a large number of the inhabitants of the town of Provincetown are dwellers on the public domain, and have no title in fee to the land which they occupy.

The most important feature of the matter is the fact that, besides the territory thus used and dwelt upon, there remains an area entirely unoccupied, which is estimated at about 4,000 acres, or six square miles. This region embraces and constitutes the extreme end of Cape Cod. About half of the tract is fairly well wooded, being covered by a thick growth of "hard pine" (*Pinus rigida*), oak, maple, and other trees, with a dense undergrowth of shrubs and vines. This wooded portion lies nearest the village of Provincetown, and probably contains about two thousand acres. The part nearest the shore, constituting the point of the Cape, appears to be of nearly equal area. It is a region of moving sand, which is blown by the wind into great billows, or irregular ridges, which are every year rolled farther and farther inland toward the village, swallowing and burying the forest as they advance.

I saw maple-trees more than twenty feet in height which are entirely covered as they stand, except a few sprouts from the highest branches, by which the tree is struggling to raise its lungs above the suffocating sand. It is a painful spectacle to a lover of trees. The whole of this area of two thousand acres of unstable sand was covered by a pine forest when white men first came to the Cape. This desert is not natural, but was directly created by human agency. The trees were cut away, and much of the space — perhaps all of it — burned over, thus destroying the soil and the mat of vegetable fibres which held it in place. All the conditions which maintained the stability of the surface being destroyed, the sand of the shore began to move inland before the wind ; and it has continued to advance with increasing depth, volume, and

velocity until now. The stumps of pine-trees are still visible where the wind blows the sand away down to the original surface.

Much money has been expended in efforts to stay the progress of this ruinous and resistless tide of sand, but nothing has been accomplished except to demonstrate the futility of the methods employed. The planting of beach grass has been the means chiefly or wholly relied upon to bind the shifting and flowing surface; but it is almost entirely ineffective, owing to the depth and mobility of the sand and the great force of the wind. A ridge or plateau of sand, from ten to twenty feet in depth and several acres in extent, is sometimes removed in a few hours.

I think the whole of the desert area might be reclaimed and rendered stable and productive, and the wooded region defended from further injury; but no effort for these ends can be successful unless the means used are adapted to the essential conditions and requirements of the problem. These have been entirely disregarded hitherto. The work of restoration must, of necessity, begin at the edge of the water, at the place where the wind which moves the sand first exerts its force.

A temporary barrier, or wind-break, extending a considerable distance along the shore, would be required. A hedge or wall, formed of several rows of closely planted cedar saplings, or something of a similar character, would afford the protection needed; and under the shelter of this hedge could be planted such cuttings and young trees as are thought best adapted to growth in such conditions, some species of willow and of poplar, the pitch pine and other suitable trees. One species of poplar grows rapidly, and becomes very large along the streets of Provincetown, where it is absurdly called the "Silver Oak."

The hedge of cedar saplings would not be planted to grow, but it would last a long while, would catch most of the sand that might be raised by the wind between the hedge and the sea, and would afford shelter for the growth of the cuttings and young trees planted at its foot on the landward side.

Only a narrow strip could be thus defended at first, and, therefore, only a narrow strip could be planted at once with any possibility of success. The planting of a broad area at the beginning of the undertaking would be entirely unscientific and impracticable. After the young trees of the first narrow strip of plantation along the shore have begun to grow, another narrow belt, on the landward side of the first, can be planted; but the requisite shelter

for later strips or belts of planting can be supplied only by the growth of the first belt. The essential requirements for the enterprise would be a small beginning, careful attention to details, unremitting watchfulness and fostering of the young plants, and the extension of the plantations by successive narrow belts. After a beginning is successfully made, short lateral spurs could probably be extended from the base line of the planting at frequent intervals and at various angles. Much time would be indispensable, and great patience and faithful industry.

This State reservation is under the care of a State agent who is appointed by the governor and council. He is by law empowered to give permits for the cutting of timber and of sods on State lands. The sods are not of grass, but of the roots of the bushes and shrubs growing on the land; and, when these sods are removed, all the soil is taken up with them, down to the inert sand, which is then blown away by the wind, thus adding to the area of desert. The sods are much desired and much used by the people of the village for "bulk-heads," terraces, banks, walls, and many similar constructions. It is almost the only building material available for the people of the village without cost, but it does not belong to them. It is the property of the State, and ought to be protected from spoliation. The removal of the soil is robbery of the most fatal kind.

The State agent appears to be extremely honest and conscientious in wishing to avoid expense to the State in the administration of his office. He grants very few permits. The fee for each permit is one dollar. All fees are turned over to the public treasury, and the agent is allowed three dollars a day for time actually employed in the duties of his office. He told me that, to save expense to the State, he seldom visits the reservation. I think that, as a matter of fact, he gives it no considerable attention, and scarcely ever sees much of its area. As a consequence, people do not take the trouble to apply for permits to cut wood or sods, but take what they want without permission. The reserve is deplored of both wood and sods without scruple. Many of the Portuguese laborers in the town obtain fuel for domestic uses from the State lands, carrying home the wood on their backs after the regular labor of the day is over; but the native Yankees also contribute their full share to the spoliation.

The proximity of thousands of acres of wooded land, without apparent ownership or efficient supervision, is a perpetual provo-

cation and inducement to theft ; and it would have a similar effect anywhere. I have repeatedly observed about the same state of things on Indian reservations in Dakota and Idaho, and on the public domain in the Coast-range region. While this Massachusetts reservation remains unguarded and uncared for, it must continue to exert a demoralizing influence upon the adjacent community.

I think the law relating to the administration of the reserve should be so changed that no cutting of timber for use outside of the limits of the reservation shall be authorized or permitted, and the removal of sods and soil should be entirely prohibited.

The town officers of Provincetown, and other leading citizens, would be glad to see an efficient supervision of the Province Lands established and maintained by the State. There is much talk of various schemes of real-estate men for the use and improvement of this State property as a means of attracting summer visitors and revenue to the village ; but the first thing for the people of the State to consider is the need of proper care for the property of the Commonwealth, and the adoption of an efficient system of treatment for the reclamation of the desert area and the preservation of the extensive wooded region which still remains unburied.

So far as can now be understood or foreseen, the advancing sand will in time, if it is left alone, bury the remaining woodland and destroy the village and harbor.

APPENDIX III.

LAWS OF MASSACHUSETTS RELATING TO PUBLIC OPEN SPACES.

Of the Boundaries of Public Places and Encroachments thereon.

PUBLIC STATUTES. CHAPTER 54.

SECTION 1. Where buildings or fences have been erected and continued for more than twenty years, fronting upon or against a training field, burying-place, common landing place, highway, private way, street, lane, or alley, and from the length of time or otherwise the boundaries thereof are not known or cannot be made certain by the records or by monuments, such fences or buildings shall be deemed and taken to be the true boundaries thereof. When such boundaries can be made certain, no length of time less than forty years shall justify the continuance of a fence or building on a town way, private way, highway, training field, burying-place, landing place, or other land appropriated for the general use or convenience of the inhabitants of the Commonwealth or of a county, town, or parish; but the same may upon the presentment of a grand jury be removed as a nuisance.

SECT. 2. The limitations of time prescribed in the preceding section shall take effect from and after the thirty-first day of December, eighteen hundred and thirty-nine.

SECT. 3. When a building, fence, or other incumbrance, erected or continued on a town way, private way, highway, training field, burying-place, landing place, or other land appropriated for the general use or convenience of the inhabitants of the Commonwealth, or of a county, town, or parish, is adjudged a nuisance and ordered to be abated, and the materials, upon a sale thereof by auction, are insufficient to pay the costs and charges of prosecution and removal, the court may order the deficient sum to be raised and levied from the goods and chattels of the party convicted of erecting or continuing such nuisance.

Of the Location of Common Landing Places.

ACTS OF 1882. CHAPTER 109.

SECTION 1. When ten or more freeholders in any county represent to the county commissioners for such county that the exact location of a common landing place in such county cannot be readily ascertained, such county commissioners shall make investigation thereof; and, if it appears that the representation is correct, they shall, after giving the notice required in laying out highways, proceed to ascertain the correct location of such landing place, erect the necessary bounds thereof, and make a record of their doings in the way provided in case of laying out highways.

Of laying out Streets over Public Commons.

PUBLIC STATUTES. CHAPTER 54.

SECT. 13. No highway, town way, street, turnpike, canal, railroad, or street railway shall be laid out or constructed over a common or park dedicated to the use of the public, or appropriated to such use without interruption for the period of twenty years; nor shall any part of such common or park be taken for widening or altering a highway, town way, or street, unless with the consent of the inhabitants of the city or town, after public notice, given in the manner provided in cases of the location and alteration of highways, setting forth the extent and limits of the portion thereof proposed to be taken. Such consent shall be expressed by vote of the inhabitants, if ten or more voters file a request in writing to that effect with the selectmen or the mayor and aldermen within thirty days after the publication of the notice; in the absence of such request, consent shall be presumed.

SECT. 14. In a city, such vote shall be taken by ballot "yes" or "no," in answer to the question of giving such consent, at meetings in the several wards on a day appointed for the purpose by the mayor and aldermen. Such meetings shall be notified and warned by the mayor and aldermen fourteen days at least before the day appointed therefor, and may be held on the same day with any election, if so appointed; and the votes shall be received, sorted, and counted, and declaration and return thereof made, and the returns from the several wards examined by the mayor and aldermen, and the result ascertained in the same manner as at elections; and all provisions of law relating to elections shall be

applicable to such meetings, and a certificate of the result shall be recorded by the city clerk.

Of Buildings in Public Parks.

PUBLIC STATUTES. CHAPTER 54.

SECT. 16. No building exceeding six hundred square feet in area upon the ground, shall be erected in or upon a common or park dedicated to the use of the public, without leave of the general court.

SECT. 17. Any violation of the preceding section may be restrained by the supreme judicial court or a justice thereof, in equity, upon petition of not less than ten taxable inhabitants of the place in which such common or park is located, and any justice of said court may issue such injunctions and make such orders and decrees, as may be necessary to restrain such violation until the final determination of the cause.

Of Shade-trees upon the Highways and in Public Places.

PUBLIC STATUTES. CHAPTER 54.

SECT. 6. The mayor and aldermen, selectmen, road commissioners, or any municipal officer of a city or town to whom the care of the streets or roads may be intrusted, may authorize the planting of shade-trees therein, wherever it will not interfere with the public travel or with private rights; and shade-trees standing, and trees planted, pursuant to such license, shall be deemed and taken to be the private property of the person so planting them, or upon whose premises they stand or are planted, and shall not be deemed a nuisance; but upon complaint made to the mayor and aldermen, selectmen, or road commissioners, they may cause such trees to be removed at the expense of the owner thereof, if the public necessity seems to them so to require.

SECT. 7. Whoever wantonly injures, defaces, tears, or destroys an ornamental or shade tree, shrub, statue, fountain, vase, or other plant or fixture of ornament or utility in a street, road, square, court, park, public garden, or other enclosure, shall forfeit not less than five nor more than one hundred dollars, to be recovered by complaint, one-half to the complainant, and the other half to the use of the person upon whose property or within whose premises the trespass was committed.

SECT. 8. Whoever negligently or carelessly suffers a horse or other beast driven by or for him, or a beast belonging to him and lawfully on the highway, to break down, destroy, or injure a tree, not his own, standing for use or ornament on said highway, or negligently or wilfully by any other means breaks down, destroys, or injures any such tree, shall be subject to an action for damages at the suit of the owner or tenant of the land in front of which the tree stands.

SECT. 10. No person shall cut down or remove an ornamental or shade-tree standing in a highway, town way, or street, without first giving notice of his intention to one of the selectmen or road commissioners or to the mayor ; and if the selectmen or road commissioners or mayor and aldermen desire to retain the tree, they shall give notice of such desire to such person within ten days thereafter ; and the damage caused by retaining said tree shall be determined in the same manner as in the case of damage by an alteration in such highway, town way, or street.

SECT. 11. If a person cuts down, removes, or injures such tree in violation of the provisions of the preceding section, or of the rights of a city or town acquired thereunder, he shall suffer the penalty provided in section seven, and the same shall accrue to the city or town.

ACTS OF 1890. CHAPTER 196, AS AMENDED BY CHAPTER 49 OF
THE ACTS OF 1891.

SECTION 1. The mayor and aldermen of the cities and the selectmen of the towns within the Commonwealth are hereby authorized to designate and preserve, as hereinafter provided in this act, trees within the limits of the highways for the purposes of ornament and shade ; and to so designate not less than one such tree in every thirty-three feet where such trees are growing and are of a diameter of one inch or more.

SECT. 2. Said mayor and aldermen and selectmen shall, between the first day of September and the thirty-first day of December in each year, designate such trees as are selected by them for the purposes set forth in this act by driving into the same, at a point not less than four nor more than six feet from the ground and on the side toward the centre of the highway, a nail or spike with a head with the letter M plainly impressed upon it ; said nails and spikes to be procured and furnished by the secretary of the

State Board of Agriculture to said mayor and aldermen and selectmen as required by them for the purposes of this act. Said mayor and aldermen and selectmen, between the first day of September and the thirty-first day of December of each succeeding year, shall renew such of said nails and spikes as shall have been destroyed or defaced; and shall also designate, in the same manner as hereinbefore stated, such other trees as in their judgment should be so designated to carry out the requirements of this act.

SECT. 3. Whoever wantonly injures, defaces, or destroys any tree thus designated, or any of said nails or spikes affixed to such trees, shall forfeit not less than five nor more than one hundred dollars, to be recovered by complaint, one-half to the complainant and one-half to the use of the town wherein the offence was committed.

SECT. 4. This act shall not apply to ornamental or shade trees whose preservation is now provided for by chapter fifty-four of the Public Statutes and the acts amendatory thereof.

Of Towns encouraging planting Shade-trees.

PUBLIC STATUTES. CHAPTER 27, AS AMENDED BY CHAPTER 123
OF THE ACTS OF 1885.

SECT. 12. A city or town may grant and vote a sum not exceeding fifty cents for each of its ratable polls in the preceding year, to be expended in planting or in encouraging the planting by the owners of adjoining real estate of shade-trees upon the public squares or highways, and may plant such trees subject to the provisions of section six of chapter fifty-four.

Of Associations for improving Public Places by planting Trees.

PUBLIC STATUTES. CHAPTER 114.

SECT. 18. Ten or more persons in any county, city, or town, who by agreement in writing associate for the purpose of encouraging agriculture or horticulture, or for improving and ornamenting the streets and public squares of any city or town by planting and cultivating ornamental trees therein, may become a corporation by such name as they assume therefor upon calling their first meeting and organizing in the manner provided in sections twelve and thirteen of chapter forty; and shall thereupon during the pleasure of the general court have for their purposes all the rights, powers,

and privileges given by sections twelve to fifteen, inclusive, of said chapter, and may hold real and personal estate not exceeding ten thousand dollars in value.

Of the Improvement of Public Grounds by Corporations.

ACTS OF 1885. CHAPTER 157.

SECTION 1. Any town in the Commonwealth which has public grounds or open spaces in any of its streets, highways, or townways which it may have designated or shall hereafter designate as not needed for public travel, may give the improvement thereof to corporations within its limits organized under the provisions of section eighteen of chapter one hundred and fourteen of the Public Statutes. Corporations which have or may hereafter have the improvement of such designated spaces given them, shall have the use, care, and control thereof, and may grade, drain, curb, set out shade or ornamental trees, lay out flower plats, and otherwise improve the same, and may protect their work by suitable fences or railings; subject at all times to such directions as may be given by the selectmen or road commissioners.

SECT. 2. Any person who shall wantonly, maliciously, or mischievously drive cattle, horses, mules, or other animals, or drive teams, carriages, or other vehicles, on or across such grounds or ways designated and given as provided in the preceding section, or shall remove or destroy any fence or railing erected by such corporation on such grounds or ways, or play ball or other games thereon, or otherwise interfere with or damage the work of such corporation, shall be subject to a fine not exceeding twenty dollars for each offence.

SECT. 3. All fines recovered for violations of the preceding section shall be paid to the corporation having the care of the property injured by such violation.

Of the Preservation of Forests by Towns and Cities.

ACTS OF 1882. CHAPTER 255.

SECTION 1. The voters of any town, at a meeting legally called for the purpose, and the city council of any city, may, for the purpose of devoting a portion of the territory of such town or city to the preservation, reproduction, and culture of forest trees for the

sake of the wood and timber thereon, or for the preservation of the water supply of such town or city, take or purchase any land within the limits of such town or city, may make appropriations of money for such taking or purchase, may receive donations of money or land for the said purposes, and may make a public domain of the land so devoted, subject to the regulations hereinafter prescribed. The title of all lands so taken, purchased, or received shall vest in the Commonwealth, and shall be held in perpetuity for the benefit of the town or city in which such land is situated.

SECT. 2. A town or city taking land under this act shall, within sixty days after such taking, file and cause to be recorded in the registry of deeds for the county or district in which the land is situated a description thereof sufficiently accurate for identifying the same. In case such town or city and the owner of such land do not agree upon the damage occasioned by such taking, such damage shall be ascertained and determined in the manner provided in case of the taking of land for a highway in such town or city; and such town or city shall thereupon pay such sums as may finally be determined to be due.

SECT. 3. The State Board of Agriculture shall act as a Board of Forestry, without pay, except for necessary travelling expenses, and shall have the supervision and management of all such public domains, and shall make all necessary regulations for their care and use, and for the increase and preservation of the timber, wood, and undergrowth thereon, and for the planting and cultivation of trees thereon. The said board shall appoint one or more persons, to be called keepers, to have charge, subject to its direction, of each such public domain before its regulations, and perform such labor thereon as said board shall require; and said keepers shall have the same power to protect such domain from injury and trespass and to keep the peace therein as constables and police officers in towns.

SECT. 4. Such board may lease any building that may be on any such public domain on such terms as it shall deem expedient. All sums which may be derived from rents and from the sale of the products of any such domain shall be paid to said board, and shall be applied by it, so far as necessary, to the management, care, cultivation, and improvement of such domain; and any surplus remaining in any year shall be paid over to the city or town in which such domain is situated. Said board shall not, however, expend upon or on account of any such public domain in any year a greater amount than it receives as aforesaid.

SECT. 5. A city or town in which any such public domain is situated may erect thereon any building for public instruction or recreation, provided that such use thereof is not in the judgment of said board inconsistent with the purposes expressed in section one.

SECT. 6. No land shall be taken or purchased, no building shall be erected on any such domain, and no expenditures shall be authorized or made, or liability be incurred under this act by any city or town until an appropriation sufficient to cover the estimated expense thereof shall in a town have been made by a vote of two-thirds of the legal voters of such town present and voting in a legal town meeting called for the purpose, or in a city by a vote of two-thirds of each branch of the city council of such city; such expenditures shall in no case exceed the appropriations made therefor, and all contracts made for expenditures beyond the amount of such appropriations shall be void; and all expenditures under this act shall be subject to the laws of this Commonwealth limiting municipal indebtedness.

SECT. 7. For the purpose of defraying the expenses incurred under the provisions of this act, any town or the city council of any city may issue from time to time, and to an amount not exceeding the sum actually expended for the taking or purchase of lands for such public domain, bonds, or certificates of debt, to be denominated on the face thereof the "Public Domain Loan," and to bear interest at such rates and to be payable at such times as such town or city council may determine; and for the redemption of such loan such town or city council shall establish a sinking fund sufficient, with the accumulating interest, to provide for the payment of such loan at maturity. All amounts received on account of such public domain shall be paid into such sinking fund until such fund shall amount to a sum sufficient, with its accumulations, to pay at maturity the bonds for the security of which the fund was established.

Of the Laying-out of Public Parks by Towns and Cities.

ACTS OF 1882. CHAPTER 154, AS AMENDED BY CHAPTER 240
OF THE ACTS OF 1890.

SECTION 1. Any town in this Commonwealth which accepts the provisions of this act in the manner hereinafter prescribed may, at a legal meeting called for the purpose, elect three competent per-

sons who shall constitute a board of park commissioners for such town, and may prescribe their terms of office; and the mayor of any city which in such manner accepts said provisions may, with the approval of the city council, as soon as may be after such acceptance, appoint five competent persons who shall constitute a board of park commissioners for such city, and who shall hold their offices until the expiration of terms of one, two, three, four, and five years respectively, from the first Monday in May next following such appointment; and the mayor shall, before the first Monday in May in each year thereafter, with like approval appoint one such commissioner to continue in office for five years from the expiration of the term of the commissioner then next outgoing. No person shall be such commissioner who is at the same time a selectman or treasurer or clerk of such town, or a member of the city council, clerk, or treasurer of such city; and any such commissioner may be removed by a vote of two-thirds of the legal voters of such town, at a legal town meeting called for the purpose, or by a concurrent vote of two-thirds of the whole of each branch of such city council.

SECT. 2. Any vacancy occurring in such board shall be filled for the residue of the term of the commissioner whose place is to be filled in the manner in which such commissioner was originally appointed. Such commissioners shall serve without compensation.

SECT. 3. Such boards of park commissioners shall have power to locate within the limits of their respective towns or cities a public park or parks, and for that purpose from time to time to take in fee by purchase, gift, devise, or otherwise, any and all such lands as they may deem desirable therefor, or to take bonds for the conveyance thereof to their respective towns or cities; to lay out and improve any such park or parks; to make rules for the use and government thereof, and for breaches of such rules to affix penalties not exceeding twenty dollars for one offence, to be imposed by any court of competent jurisdiction; to appoint all necessary engineers, surveyors, clerks, and other officers, including a police force to act in such parks; to define the powers and duties of such officers and fix the amount of their compensation; and generally to do all acts needful for the proper execution of the powers and duties granted to or imposed upon such town or city or upon such boards by this act; *provided, however*, that no land shall be taken, or any other thing involving an expenditure of money be done under this act, until an appropriation sufficient

to cover the estimated expense thereof shall in the town have been made by a vote of two-thirds of the legal voters present, and voting in a legal town meeting called for the purpose, or in a city by a vote of two-thirds of each branch of the city council ; and such expenditures shall in no case exceed the appropriations made therefor, and all contracts made for expenditures beyond the amount of such appropriations shall be void ; *provided, further,* that in a town no taking of land otherwise than by purchase shall be valid unless such taking is reported to the town, filed, accepted, and allowed, as provided by section seventy-one of chapter forty-nine of the Public Statutes in the case of laying out town ways.

SECT. 4. Such boards shall, within sixty days after the taking of any land under this act, file, and cause to be recorded in the registry of deeds for the county or district in which any land so taken is situated a description thereof sufficiently accurate for identifying the same.

SECT. 5. Such boards shall respectively estimate and determine all damages sustained by any person by the taking of land or by other acts of such boards in the execution of the powers vested in them respectively by this act ; but a person aggrieved by any such determination of the board may have his damages assessed by a jury of the superior court in the same manner as is provided by law with respect to damages sustained by reason of the laying out of ways. If upon trial damages are increased beyond the award, the party in whose favor the award was made shall recover his costs : otherwise, he shall pay costs ; and costs shall be taxed as in civil cases.

SECT. 6. The fee of any land taken or purchased by such boards in any town or city for a park under this act shall vest in the town or city in which such park is laid out ; and such town or city shall be liable to pay all damages assessed or determined, as provided in the preceding section, and all other costs and expenses incurred by its board of park commissioners in the execution of the powers vested in such board by this act. Any town or city shall also be authorized to take and hold in trust or otherwise any devise, grant, gift, or bequest that may be made for the purpose of laying out, improving, or ornamenting any park or parks therein.

SECT. 7. The boards of park commissioners, in their respective towns and cities, shall have the same authority to determine the value of, and assess upon real estate the amount of betterments accruing to said real estate by the locating and laying out of a

park or parks under this act that is conferred by chapter fifty-one of the Public Statutes upon boards of city or town officers authorized to lay out streets or ways; and the provisions of the first eight sections of said chapter relating to ways shall apply to such assessments by boards of park commissioners in respect to the location and laying out of parks as aforesaid; *provided, however,* that no assessment shall be laid upon any real estate except such as abuts upon the park from the laying out of which the betterment accrues, or upon a street or way bounded by such park.

SECT. 8. Any town or city in which a public park is laid out under his act may raise, appropriate, and expend such sums of money as may be deemed best for the purchase and improvement of such park or parks, subject to the laws of this Commonwealth limiting municipal indebtedness.

SECT. 9. For the purpose of defraying the expenses incurred under the provisions of this act, the city council of any city shall have authority to issue from time to time, and to an amount not exceeding the sum actually expended for the purchase or taking of lands for a park or parks, bonds or certificates of debt, to be nominated on the face thereof the "Public Park Loan," and to bear interest at such rates and to be payable at such times as said city council may determine. For the redemption of such loan such city council shall establish a sinking fund sufficient, with the accumulating interest, to provide for the payment of such loan at maturity. All amounts received for betterments shall be paid into such sinking fund until such fund shall amount to a sum sufficient with its accumulation to pay at maturity the bonds for the security of which the fund was established.

SECT. 10. All lands taken or held under this act shall be forever kept open and maintained as a public park or parks. No building covering more than six hundred square feet shall be placed or allowed to remain on any such park; and no street or way, and no steam or horse railroad, shall be laid out over any portion of a park located under this act, except at such places and in such manner as the board of park commissioners shall approve.

SECT. 11. No military encampment, parade, drill, review, or other military evolution or exercise shall be held or performed on any park laid out as aforesaid except with the consent of such board; nor shall any military body, without such consent, enter or move in military order within such park, except in case of riot, insurrection, rebellion, or war.

SECT. 12. All such boards of park commissioners shall make reports of their respective doings, including detailed statements of all receipts, expenditures, and liabilities for the preceding year; such reports to be made in towns at the annual town meetings, and at such other times as the town may direct, and in cities to the city council annually in the month of December.

SECT. 13. This act shall not take full effect in any town or city unless accepted by a majority of the legal voters of such town or city present and voting thereon by ballot and using the check-list at a meeting or meetings, notice whereof has been duly given at least seven days beforehand. Said ballots shall be "yes" or "no" in answer to the question, "Shall an act passed by the legislature of the Commonwealth in the year eighteen hundred and eighty-two, entitled 'An act authorizing towns and cities to lay out public parks within their limits,' be accepted?" In a town such meeting shall be called and notified in the manner in which meetings for the election of town officers are called and notified; and in a city meetings to act thereon shall be held at one time in the usual voting places of the city, and on such days as shall be designated by the board of aldermen at any regular meeting, and shall be called and notified by the board of aldermen in the manner in which meetings for the election of municipal officers are called and notified. The ballots cast shall be assorted, counted, and public declaration made thereof in open town or ward meeting, as the case may be, and the number of ballots respectively cast shall be registered in the town or ward records, as the case may be. The clerk of each ward in a city shall, within forty-eight hours of the close of the polls, make return to the board of aldermen of the number of ballots cast in his ward in favor of the acceptance of this act and of the number cast against its acceptance. The selectmen and town clerk of a town, and the board of aldermen of a city, in which such meeting or meetings are held, shall certify, as soon as may be thereafter, to the secretary of the Commonwealth the whole number of ballots cast in favor of the acceptance of this act, and of the whole number cast against its acceptance, and, if it shall appear that a majority of the ballots have been cast in favor of acceptance, the said secretary shall immediately issue and publish his certificate declaring this act to have been duly accepted by such town or city.

SECT. 14. No second meeting for the purpose of voting upon the question of accepting this act shall be called within twelve

months from the first, unless the first meeting shall have failed through illegality or irregularity in the proceedings.

*Of the Preservation of Beautiful and Historical Places through
the Instrumentality of the Trustees of Public
Reservations.*

ACTS OF 1891. CHAPTER 352.

SECTION 1. Frederick L. Ames, Philip A. Chase, Christopher Clarke, Charles R. Codman, Elisha S. Converse, George F. Hoar, John J. Russell, Leverett Saltonstall, Charles S. Sargent, Nathaniel S. Shaler, George Sheldon, William S. Shurtleff, George H. Tucker, Francis A. Walker, George Wigglesworth, their associates and successors, are hereby made a corporation by the name of The Trustees of Public Reservations, for the purpose of acquiring, holding, arranging, maintaining, and opening to the public, under suitable regulations, beautiful and historical places and tracts of land within this Commonwealth, with the powers and privileges and subject to the duties set forth in chapter one hundred and fifteen of the Public Statutes and in such other general laws as now are or hereafter may be in force relating to such corporations ; but said corporations shall have no capital stock.

SECT. 2. Said corporation may acquire and hold by grant, gift, devise, purchase, or otherwise, real estate such as it may deem worthy of preservation for the enjoyment of the public, but not exceeding one million dollars in value, and such other property, both real and personal, as may be necessary or proper to support or promote the objects of the corporation, but not exceeding in the aggregate the further sum of one million dollars.

SECT. 3. All personal property held by said corporation, and all lands which it may cause to be opened and kept open to the public, and all lands which it may acquire and hold with this object in view, shall be exempt from taxation in the same manner and to the same extent as the property of literary, benevolent, charitable, and scientific institutions incorporated within this Commonwealth is now exempt by law ; but no lands so acquired and held and not open to the public shall be so exempt from taxation for a longer period than two years. Said corporation shall never make any division or dividend of or from its property or income among its members.

Of the Protection of Forests against Fires.

ACTS OF 1882. CHAPTER 163.

SECTION 1. Whoever wantonly and recklessly sets fire to any material which causes the destruction or injury of any growing or standing wood of another shall be punished by fine not exceeding one hundred dollars or by imprisonment in the jail not exceeding six months.

ACTS OF 1886. CHAPTER 296.

SECTION 1. Whoever wilfully or without reasonable care sets a fire upon the lands of another by means whereof the property of another is injured, or negligently or wilfully suffers any fire upon his own land to extend beyond the limits thereof by means whereof the woods or property of any other person are injured, shall be punished by fine not exceeding two hundred and fifty dollars.

SECT. 2. In all towns it shall be the duty of the selectmen to appoint within thirty days after the passage of this act and thereafter annually, in March or April, one or more persons to be called forest fire-wards, who shall, in respect to fires in woodlands, have and exercise the powers and duties prescribed for fire-wards in chapter thirty-five of the Public Statutes. In towns of less than three hundred voters the selectmen may serve as forest fire-wards if the towns shall so elect.

SECT. 3. It shall be the duty of forest fire-wards to post copies of this act and chapter one hundred and sixty-three of the acts of the year eighteen hundred and eighty-two in two or more public places, to investigate all cases of fires in woodlands and report thereon to the mayor of the city or to the selectmen of the town, who in their discretion shall cause complaints to be made for violation of the provisions hereof.

SECT. 4. The mayor and aldermen and selectmen shall make return to the insurance commissioner, as required in chapter thirty-five, section ten, Public Statutes, of all forest fires, in their respective cities and towns, in which more than one acre is burned over.

SECT. 5. The engineers of fire departments in cities where a fire department exists shall have and exercise the powers and duties herein prescribed for forest fire-wards.

SECT. 6. Forest fire-wards may employ such assistance at the expense of the city or town as they see fit to suppress forest fires,

and shall receive such compensation as the city or town may determine.

Of defacing Natural Scenery by Advertisements, etc.

PUBLIC STATUTES. CHAPTER 203.

SECT. 102. Whoever paints, or puts upon, or in any manner affixes to any fence, structure, rock, or other natural object, the property of another, any words, device, trade-mark, advertisement, or notice, not required by law to be posted thereon, without first obtaining the consent of the owner of such property, shall, on complaint of such owner or his tenant or some municipal officer, be punished by fine not exceeding ten dollars.

SECOND ANNUAL REPORT
OF THE
TRUSTEES
OF
PUBLIC RESERVATIONS
1892



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1893

CONTENTS.

	PAGE
OFFICERS AND MEMBERS OF THE CORPORATION, 1892,	4
FOUNDERS, LIFE ASSOCIATES, AND CONTRIBUTORS, 1892,	5-7
AN ACT TO ESTABLISH THE TRUSTEES OF PUBLIC RESERVATIONS, .	8
BY-LAWS, 1892,	9
REPORT OF THE STANDING COMMITTEE,	14
REPORT OF THE TREASURER,	21

APPENDIX I.

CIRCULARS ISSUED BY THE PRELIMINARY COMMITTEES AND THE TRUTSEES,	27
--	----

APPENDIX II.

STATISTICS OF THE PUBLIC OPEN SPACES OF MASSACHUSETTS, . . .	37
--	----

APPENDIX III.

AN ACT FOR THE IMPROVEMENT OF THE LANDS BELONGING TO THE COMMONWEALTH AT PROVINCETOWN, IN THE COUNTY OF BARNSTABLE,	67
REPORT OF THE STANDING COMMITTEE TO THE GENERAL COURT OF 1893 ON THE SUBJECT OF THE PROVINCE LANDS,	69
A DRAFT OF "AN ACT TO PROVIDE FOR THE BETTER MANAGEMENT OF THE PROVINCE LANDS,"	78

ILLUSTRATIONS:—

[After photographs by W. H. SMITH, Provincetown.]

- I. A reedy pond in the wooded region; a grassy sand ridge in the distance.
- II. The edge of the naked sands; wooded ridges in the distance.
- III. A wind cut in a wooded ridge.
- IV. Sand from a wind cut piled on top of trees and bushes.
- V. A sand drift filling a lily pond.
- VI. A part of a ruined ridge; the ocean in the distance.
- VII. View down the slope of a ruined ridge to Race Run; Race Point Light and the sea.

OFFICERS AND MEMBERS OF THE CORPORATION,
1892.

President.

HON. GEORGE F. HOAR, Worcester.

Vice-President.

HON. WILLIAM S. SHURTLEFF, Springfield.

Standing Committee.

PHILIP A. CHASE, Lynn, *Chairman.*

CHARLES S. SARGENT, Brookline.

HENRY P. WALCOTT, Cambridge.

GEORGE WIGGLESWORTH, 89 State St., Boston, *Treasurer.*

CHARLES ELIOT, Brookline, *Secretary.*

FREDERICK L. AMES, Easton.

FRANCIS H. APPLETON, Lynnfield.

FRANKLIN CARTER, Williamstown.

GEORGE W. CHASE, North Adams.

CHRISTOPHER CLARKE, Northampton

CHARLES R. CODMAN, Cotuit.

ELISHA S. CONVERSE, Malden.

DELORAINÉ P. COREY, Malden.

CHARLES H. DALTON, Boston.

WILLIAM C. ENDICOTT, Salem.

J. D. W. FRENCH, North Andover.

E. B. GILLET, Westfield.

J. EVARTS GREENE, Worcester.

JAMES S. GRINNELL, Greenfield.

AUGUSTUS HEMENWAY, Canton.

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HENRY M. LOVERING, Taunton.

GEORGE C. MANN, Jamaica Plain.

HENRY L. PARKER, Worcester.

CHARLES S. RACKEMANN, Milton.
 WILLIAM R. ROBESON, Lenox.
 JOHN ROBINSON, Salem.
 JOHN J. RUSSELL, Plymouth.
 LEVERETT SALTONSTALL, Newton.
 NATHANIEL S. SHALER, Tisbury.
 GEORGE SHELDON, Deerfield.
 DANIEL D. SLADE, Newton.
 JOSEPH TUCKER, Pittsfield.
 GEORGE H. TUCKER, Pittsfield.
 FRANCIS A. WALKER, Boston.
 WILLIAM WHITING, Holyoke.
 MOSES WILLIAMS, Brookline.

FOUNDERS.

Miss ELLEN CHASE, Boston.

* Mrs. FANNY FOSTER TUDOR, Boston.

LIFE ASSOCIATES.

Frederick L. Ames, Boston.
 Francis Brooks, Boston.
 Mrs. Francis Brooks, Boston.
 Henry Brooks, West Medford.
 Peter C. Brooks, Boston.
 Shepherd Brooks, Boston.
 George A. Farlow, Boston.
 John M. Forbes, Milton.
 H. H. Hunnewell, Boston.

E. S. Horsford, Cambridge.
 Miss M. C. Jackson, Boston.
 N. T. Kidder, Milton.
 W. C. Loring, Boston.
 Mrs. John C. Phillips, Boston.
 Charles S. Sargent, Brookline.
 John E. Thayer, South Lancaster.
 William Whiting, Holyoke.
 George Wigglesworth, Boston.

CONTRIBUTORS.

- C. H. Adams, Melrose.
John E. Alden, Boston.
Miss Sarah W. Ames, W. Bridgewater.
Appalachian Mountain Club.
Mrs. Elisha Atkins, Boston.
Miss Ellen J. Baker, Boston.
William P. Balles.
Henry Barrett, Malden.
Henry H. Barrett, Malden.
William E. Barrett, Melrose.
C. C. Barry, Melrose.
Royal P. Barry, Melrose.
Frank J. Bartlett, Malden.
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Frederick Brooks, Boston.
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H. A. Carson, Boston.
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C. Frank Close, Melrose.
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Dr. Thomas Crozier, Charlestown.
Miss M. F. Cummings, Boston.
R. F. Curtis, Boston.
Charles A. Cutter, Boston.
Louis F. Cutter, Boston.
Miss Susan M. Daniell, Dorchester.
W. R. Davis, Boston.
J. P. Deering, Melrose.
Miss Julia Delano.
Q. E. Dickermann, Somerville.
D. Webster Dow, Melrose.
Walter B. Ellis, Melrose.
Washburn Emory, Melrose.
George H. Fall, Malden.
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W. N. Folsom, Melrose.
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G. A. Gibson, Medford.
L. W. Gilman, Melrose.
J. O. Goodwin, Medford.
George L. Gould, Malden.
Levi S. Gould, Melrose.
John W. Gourgas, Concord.
Byron Groce, Roxbury.
O. B. Hadwen, Worcester.
George S. Hale, Boston.
C. C. Hall, Boston.
I. P. Hall, Boston.

- N. P. Hallowell, West Medford.
 Mrs. George W. Hammond, Boston.
 C. W. Hardwick, Quincy.
 Mrs. R. L. Hawes, Boston.
 Miss Ada H. Hersey, Roxbury.
 F. S. Hesseltine, Melrose.
 C. W. Higgins, Melrose.
 T. W. Higginson, Cambridge.
 Mrs. P. R. Hollingsworth, Mattapan.
 E. W. Hooper, Cambridge.
 Thomas R. Howard.
 J. C. Howes, Melrose.
 F. W. Hunt, Melrose.
 Harry Hunt, Melrose.
 Harry H. Hunt, Melrose.
 W. H. Hunt, Lynn.
 Edmund Hersey, Hingham.
 Howard & Frohock, Malden.
 Home & Field Club, Brookline.
 C. H. Isburgh, Melrose.
 Miss A. S. Johnson, Boston.
 G. M. Jones, Salem.
 George R. Jones, Melrose.
 Nathaniel P. Jones, Melrose.
 Miss Louise Kennedy, Concord.
 Miss M. A. Knowles, Boston.
 John Larrabee, Melrose.
 D. W. Lawrence, Medford.
 Rosewell B. Lawrence, Boston.
 Henry Lee, Boston.
 Joseph Lee, Boston.
 J. R. Leeson, Newton.
 Royal B. Leighton, Melrose.
 Miss A. W. Lincoln, Medford.
 J. N. Lombard, Melrose.
 Miss M. E. Loud, Chelsea.
 Henry M. Lovering, Taunton.
 A. S. Lynde, Melrose.
 A. V. Lynde, Melrose.
 J. K. Manning, Medford.
 Miss Adelina May, Lynn.
 Winthrop Messenger, Melrose.
 G. E. Monroe, Melrose.
 Nathaniel Morton, Plymouth.
 A. Nickerson, Boston.
 Walter I. Nickerson, Melrose.
 W. H. Niles, Cambridge.
 Edw. E. Norton, Boston.
 F. H. Odiorne, Boston.
 Old Residents' Association, Lowell.
 Moses Page, Melrose.
 Miss Isabella Paine, Boston.
 Julia A. Palmer, Boston.
 H. J. Pettengill, Melrose.
 John W. Pettengill, Melrose.
 Miss Helen Porter, Medford.
 Henry G. Reed, Taunton.
 W. S. Richards, Melrose.
 C. E. Ridler, Boston.
 T. W. Ripley, Boston.
 John Ritchie, Boston.
 Louise E. K. Robson Malden.
 John Robson, Melrose.
 Leverett Saltonstall, Boston.
 Miss E. L. Sampson, Newton.
 Miss F. W. Sampson, Newton.
 Wingate P. Sargent, Melrose.
 E. F. Sawyer, Brighton.
 L. D. Shaw, Melrose.
 Francis A. Shove.
 Miss Zilpha D. Smith, Boston.
 Frank G. Startial, Melrose.
 William Steers, Boston.
 Ezra A. Stevens, Jr., Malden.
 John D. Street, Boston.
 John L. Sullivan, M.D., Boston.
 Mrs. C. H. Talbot, Boston.
 Rosewell C. Taylor, Melrose.
 Miss E. A. Thackray, Cambridge.
 Mrs. C. C. P. Thayer, Boston.
 William A. Thompson, Boston.
 Mrs. J. H. Thorndike, Boston.
 C. Morris Treddick, Malden.
 J. W. Tufts, Boston.
 Miss M. I. Tufts, Lynn.
 William C. Wait, Boston.
 Miss Mary S. Walker, Waltham.
 Frank L. Washburn, Melrose.
 Mrs. H. W. Wellington, Newton.
 Arthur H. Wellman, Malden.
 Edmund Wheelwright, Boston.
 E. L. Whittier, Melrose.
 Joseph F. Wiggin, Malden.
 Mrs. S. A. Woods, Boston.
 Miss E. A. Wright, Medford.
 Phillip G. Wright, Medford.
 W. C. Wright, Boston.
 Mrs. M. E. York, Boston.

AN ACT TO ESTABLISH THE TRUSTEES OF PUBLIC RESERVATIONS, CHAPTER 352, ACTS OF 1891.

SECTION 1. Frederick L. Ames, Philip A. Chase, Christopher Clarke, Charles R. Codman, Elisha S. Converse, George F. Hoar, John J. Russell, Leverett Saltonstall, Charles S. Sargent, Nathaniel S. Shaler, George Sheldon, William S. Shurtleff, George H. Tucker, Francis A. Walker, George Wigglesworth, their associates and successors, are hereby made a corporation by the name of The Trustees of Public Reservations, for the purpose of acquiring, holding, arranging, maintaining, and opening to the public, under suitable regulations, beautiful and historical places and tracts of land within this Commonwealth, with the powers and privileges and subject to the duties set forth in chapter one hundred and fifteen of the Public Statutes and in such other general laws as now are or hereafter may be in force relating to such corporations ; but said corporation shall have no capital stock.

SECT. 2. Said corporation may acquire and hold by grant, gift, devise, purchase, or otherwise, real estate such as it may deem worthy of preservation for the enjoyment of the public, but not exceeding one million dollars in value, and such other property, both real and personal, as may be necessary or proper to support or promote the objects of the corporation, but not exceeding in the aggregate the further sum of one million dollars.

SECT. 3. All personal property held by said corporation, and all lands which it may cause to be opened and kept open to the public, and all lands which it may acquire and hold with this object in view, shall be exempt from taxation in the same manner and to the same extent as the property of literary, benevolent, charitable, and scientific institutions incorporated within this Commonwealth is now exempt by law ; but no lands so acquired and held and not open to the public shall be so exempt from taxation for a longer period than two years. Said corporation shall never make any division or dividend of or from its property or income among its members.

SECT. 4. This act shall take effect upon its passage.

BY-LAWS OF THE TRUSTEES OF PUBLIC RESERVATIONS.

ARTICLE I.

OF MEMBERS.

The members of the corporation shall be residents of Massachusetts, and their number shall not exceed fifty.

The Standing Committee may, if it sees fit, nominate persons to membership by inserting the names of candidates upon the notice or warning of any meeting. The election shall take place at any meeting subsequent to such notice, and shall be by ballot upon the names proposed by the Standing Committee; and any person who receives the votes of two-thirds of the members present and voting shall, on his acceptance in writing of his election, be declared and enrolled a member of the corporation. Membership may be terminated by resignation, and shall be terminated by failure for three successive years to attend the annual meeting; but in the latter case the Standing Committee may by vote suspend the operation of this rule when it sees best.

ARTICLE II.

OF FOUNDERS, LIFE ASSOCIATES, AND CONTRIBUTORS.

All persons from whom the corporation shall receive real or personal property to the value of one thousand dollars or more shall be permanently enrolled as Founders.

All persons not entitled to be enrolled as Founders, from whom the corporation shall receive real or personal property to the value of one hundred dollars or more, shall be enrolled during life as Life Associates.

All persons, societies, or corporations not entitled to be enrolled as Founders or Life Associates, from whom the corporation shall receive one or more dollars, shall be enrolled as Contributors for the year in which payment of such sum is made.

ARTICLE III.

OF MEETINGS.

1. The annual meeting of the corporation shall be held on the last Wednesday in January in Boston or at such other city or town in the Commonwealth, and at such time and place, as the Standing Committee may determine. A quorum for the transaction of business shall consist of not less than seven members, but a majority of the members present and voting may adjourn any meeting from time to time until the business shall have been finished.

In the event of the annual meeting, by mistake or otherwise, not being called and held as herein prescribed, the Standing Committee shall order a special meeting to be called and held in lieu of and for the purposes of the annual meeting.

Special meetings of the corporation may be called by the Standing Committee to meet at any time and place. A quorum at a special meeting shall consist of not less than seven members.

2. At all meetings the President shall take the chair as soon as a quorum is present, and the record of the preceding meeting shall then be read, unless such reading is dispensed with by the unanimous consent of those present. After which at all special meetings the business for which the meeting was called shall be transacted, and at the annual meeting the order of business shall be as follows : —

First.— The unfinished business and the assignments of the last meeting shall be announced by the Secretary to the President and taken up in order.

Second.— The Secretary shall be called on to submit a written report of the doings of the Standing Committee for the year ending with the previous 31st of December.

Third.— The Treasurer shall be called upon to submit a written report of his doings for the year ending with the previous 31st of December, and the financial condition of the corporation at that date.

Fourth.— The Committee to audit the Treasurer's accounts shall be called on for a report.

Fifth.— Any special committee which may have been appointed during the year shall be called on to report.

Sixth.— If the Standing Committee shall have proposed changes

in the By-laws, the same shall be voted upon, as provided in Article VII.

Seventh.— If the Standing Committee shall have made any nominations to membership in the corporation, an election shall be held, as provided in Article I.

Eighth.— An election of officers for the ensuing year shall be held, as provided in Article IV., Section 1.

Ninth.— On the announcement of the vote the newly elected President shall take the chair, and shall give the members present an opportunity to present new business.

Tenth.— The newly elected President shall appoint a committee to audit the Treasurer's accounts.

ARTICLE IV.

OF OFFICERS.

1. The officers of the corporation shall be a President, a Vice-President, a Secretary, and a Treasurer. The Secretary and Treasurer shall be *ex-officiis* members of the Standing Committee, which shall consist of five persons in all. The officers and the Standing Committee shall be chosen by ballot at the annual meeting of the corporation, an adjournment thereof, or at a meeting in lieu of such annual meeting, as above provided; and they shall hold their offices for one year, or until others are duly chosen and qualified in their stead. Any vacancy occurring in any of the above offices from death, resignation, or inability, shall be filled by the Standing Committee at their next regular meeting or at a special meeting to be called for the purpose before such regular meeting.

2. The President shall preside at all meetings of the corporation. If he is absent, the Vice-President, and, if the Vice-President is also absent, a President *pro tempore*, chosen by hand vote of the members of the corporation present, shall preside, and shall have all the powers and perform all the duties of the President.

3. The Secretary shall warn the members of all meetings of the corporation, according as he may be directed by votes of the Standing Committee. He shall call the meetings of the Standing Committee as he may be directed by the chairman of the committee or on the request in writing of any two members thereof. He shall carry on all the correspondence of the corporation not otherwise provided for, and shall, when the correspondence is of

importance, preserve copies of the letters sent and the original letters received, for transmission with his records to his successor in office. He shall keep an exact record of all meetings of the corporation and of the Standing Committee, with the names of the members present, entering in full all reports of committees which may be accepted by either body, unless otherwise directed.

At the January meeting of the Standing Committee he shall make a written report of the doings of that body for the year ending on the previous 31st of December; and, if the report is approved, he shall present it at the annual meeting of the corporation.

4. The Treasurer shall, when directed, as provided in the next paragraph, make disbursements; and he shall also collect all moneys due to the corporation, and shall keep regular and faithful accounts of all the moneys and funds of the corporation which shall come into his hands and of all receipts and expenditures connected with the same, which accounts shall always be open to the inspection of members of the corporation. He shall make no investments and pay no moneys without either the approval of a majority of the Standing Committee or else of such officer or committee as said Standing Committee shall appoint to act for it in these matters.

At the January meeting of the Standing Committee he shall make a written report of his doings for the year ending on the previous 31st of December; and, if his report is approved, he shall present it at the annual meeting of the corporation.

ARTICLE V.

OF THE STANDING COMMITTEE.

The Standing Committee shall, at its first meeting after the annual meeting of the corporation in each year, elect a chairman, whose duty it shall be to preside at all meetings of the committee. In his absence a chairman *pro tempore* may be chosen by hand vote.

The Standing Committee shall meet at least once in every month, and a quorum shall consist of not less than three members.

The Standing Committee may nominate or refuse to nominate new members of the corporation, may accept or decline gifts offered to the corporation, may approve or disapprove investments

or expenditures proposed by the Treasurer, may approve or disapprove all bills against the corporation, may appoint sub-committees of their number, may appoint and remove agents, may engage whatever assistance is needed to administer the affairs of the corporation, may designate such agents and employees by such titles as they may deem proper, and, in general, may exercise all the executive powers of the corporation.

ARTICLE VI.

OF THE SEAL.

The corporate seal shall be a circular, flat-faced die of about an inch and a half in diameter, with the name of the corporation, the year of its organization, the word "Massachusetts," and the figure of a pine-tree so engraved on its face that it can be embossed on paper by pressure.

ARTICLE VII.

OF AMENDMENTS.

At any annual meeting of the corporation, or at a special meeting called for the purpose, these By-laws may be amended, altered, or repealed by a two-thirds vote of the members present and voting, provided that notice of such proposed change shall have been given in the call of the meeting.

REPORT OF THE STANDING COMMITTEE.

*To the Trustees of Public Reservations and their Founders,
Life Associates, and Contributors :*

In accordance with the By-laws, the Standing Committee submits the following report for the year 1892,—the first whole year of the life of the Corporation :—

The Trustees of Public Reservations have been established by special charter from the General Court, for the purpose of providing a ready instrument by means of which any person, or body of persons, may insure the permanent preservation of any beautiful or historical place in Massachusetts. Lovely and interesting spots have heretofore been too frequently destroyed or enclosed for private use, in spite of the fact that many persons would gladly have endeavored to save them for the public, had there appeared to be any practicable way of so doing. Now that this Board is established, those who really desire the preservation of such spots can no longer find excuse for inactivity. Here is the reliable and permanent body to which the ownership and the care of precious places may safely be intrusted. This Board exists to serve as guardian of these treasures of the State. [See the various circulars reprinted in Appendix I.]

As the years pass, a variety of motives will be found to inspire the giving of lands into the care of the Trustees. Some givers will seek to perpetuate the attractiveness which is the source of the prosperity of all pleasure resorts. Other gifts will spring from the laudable desire to preserve some of the geological, botanical, or archæological wonders of the land. Some will have their origin in the wish to hand

down to posterity unchanged those scenes which have been consecrated by the lives of artists, seers, or poets; and yet others will embody the philanthropic purpose of those who would give crowded populations an opportunity to view the beauty of the fair natural world.

The gift of twenty acres of fine woodland in the township of Stoneham, mentioned in the last report, but received early in this year, seems to have been occasioned by more personal but equally honorable motives. Mrs. Fanny Foster Tudor dedicated her gift to the memory of a daughter by naming it Virginia Wood. It was sad that Mrs. Tudor died in France before the knowledge of the acceptance of the trust by this Board could reach her.

The Wood has been well watched by a man who lives beside it; and no harm was done to it, even in the season when evergreen is much sought for making Christmas decorations. The following notice is kept posted in conspicuous places about the wood:—

VIRGINIA WOOD.

GIVEN TO THE PUBLIC BY MRS. FANNY FOSTER TUDOR, IN 1892.

All who enter this Wood are Shareholders in its beauty, and should therefore be vigilant to protect it from injury.

Such acts of trespass as shooting, making fires, cutting or breaking trees, and removing plants, are absolutely forbidden.

If necessary, the police on the adjacent roads should be called upon to enforce this Rule.

THE TRUSTEES OF PUBLIC RESERVATIONS.

By the helpful activity of Secretary R. B. Lawrence of the Appalachian Mountain Club, and a few other persons, about two thousand dollars has been collected in small sums and invested by the Treasurer as the Virginia Wood Fund, the income of which will be devoted to the defence of the property. The names of those to whom the public is indebted for this fund will be found in the list of the contributors for the year. Their timely aid insured the acceptance by this

Board of a trust which must otherwise have been regretfully declined.

The last report made mention of the intention of your committee to step a little outside of the narrow view of the Board's duties, and to take action in four directions as follows: "*First*, thoroughly to investigate and then to publish the present facts in respect to the provision of public open spaces in Massachusetts; *second*, to collect and publish the laws of Massachusetts which permit or otherwise affect the acquisition and maintenance of public open spaces; *third*, to call together the numerous park commissioners and park committees of the metropolitan district surrounding Boston, in the hope that mutual acquaintance might encourage co-operative action in the taking of land for public open spaces; *fourth*, to ask the legislature of 1892 to institute an inquiry into the whole subject."

The collection of the facts respecting the present provisions of public open spaces, begun by Mr. Harrison in the seacoast towns last year and so entertainingly related by him in the appendix to our first report, has been continued during this year through correspondence, and by means of a circular letter of inquiry addressed to all the city and town clerks. The details of the returns will be found in Appendix II. It appears that the large areas of undivided or common lands, which once were to be found in most of the townships of the Commonwealth, have all been allotted or sold to individuals, except in the island of Nantucket, where there still remain at least one thousand acres of undivided common. It is interesting to note that the Park Board and the Water Board of the city of Lynn have lately restored to public ownership about two thousand acres of woodland which once was a common of this large kind.

It appears that the smaller commons which the first proprietors of townships almost invariably laid out as "training-fields" and sites for "meeting-houses" are still the only public open spaces of most of the townships of the State. Some of them have been encroached upon, some have

passed into the exclusive possession of the "first churches," some into the exclusive possession of the townships. Some are said to be still owned jointly by township and church. Where the towns have come into possession, they have frequently given the charge of the commons to village or township improvement associations, in accordance with Chapter 157 of the Acts of 1885 or the pre-existing Public Statutes. Only a few of the rural townships have acquired new public open spaces in recent years. In Manchester public rights in certain sea beaches have been established, and a long strip of roadside woodland has been deeded to the town in trust. In Sheffield a beautiful pine grove is held in trust for the public by five trustees. Georgetown has laid out nine small spaces within forty years. The rural and seaside townships would be rendered much more permanently attractive than they are, if it were known that in one of them the narrow gorge of a swift stream was forever open; in another, the summit of a commanding hill or mountain; in another, a cliff or beach of the seashore. It would be greatly for the advantage of the Commonwealth if such persons as have recently placed public libraries throughout the State would now turn their attention to the permanent preservation of those beautiful and historical places which so adorn and enrich the land.

In the cities of the State the General Park Act, passed in 1882, has now begun to produce excellent fruit. Two considerable cities, Gloucester and Everett, as yet possess no public recreation grounds; and Fitchburg has 14,691 persons for each acre of such grounds. But, on the other hand, a majority of the cities of Massachusetts now possess sufficient public acres to make the number of their inhabitants per acre of public lands something under five hundred, which is a fairly good showing. The relative standing of the cities is as follows:—

Cities of Massachusetts.	Population of 1890.	Acres of public open space.	Inhabitants per acre of open space.
Lynn,	55,727	2,054	27.1
Medford,	11,079	232	47.7
Worcester,	84,655	1,364	62
Marlboro,	13,805	186	74.2
Springfield,	44,179	359	123
Quincy,	16,723	112	149.3
Boston,	448,477	1,456	307.4
Waltham,	18,707	57	328.2
Woburn,	13,499	38	355.2
Pittsfield,	17,281	48	360
Cambridge,	70,028	174	402.5
Lowell,	77,696	189	411
Haverhill,	27,412	60	456.8
Newton,	24,379	50	487.5
Newburyport,	13,947	23	606.3
Lawrence,	44,654	73	611.7
Salem,	30,801	42	733.3
Somerville,	40,152	45	892.2
Fall River,	74,398	80	929.9
Malden,	23,031	20	1,151.5
Northampton,	14,990	6	2,498.3
Holyoke,	35,637	8	4,454.8
New Bedford,	40,733	8	5,091.6
Chelsea,	27,909	5	5,581.8
Chicopee,	14,050	2.5	5,620
Taunton,	25,448	3	8,482.6
Fitchburg,	22,037	1.5	14,691.3
Everett,	11,068	0	
Gloucester,	24,651	0	

It may be well to recapitulate the several ways in which those who may desire to establish public reservations may now proceed. *First*, a gift of land may be made to the town in which the land lies, provided the town will accept the gift by vote. *Second*, a gift of land for "park purposes" may be made to any town or city which has accepted the Park Act of 1882, with the consent of the Park Commission instead of that of the voters. Moreover, by rousing a public opinion which will vote money for the use of the Park Commissions, these commissions may be led to exercise their power to purchase and, if necessary, to condemn lands within the limits of

their respective towns and cities. *Third*, land may be given, or purchased and then given, into the charge of the Trustees of Public Reservations, a body not influenced by any of the considerations which necessarily govern the acceptance or rejection of lands offered to towns and cities. For example, the Trustees would not, as some towns have done, reject a gift because the land was found to lie remote from the village or upon the boundary of the next town. Town bounds are of no account to this Board, which has only the interests of the whole State at heart. Let the towns and cities of the Commonwealth buy and assume the charge of as many public reservations as they may, and there will still remain many special cases where the powers of trusteeship which have been granted to this Board will prove useful and indeed invaluable.

The collection of the laws of Massachusetts affecting public open spaces, and governing the opening thereof, will be found in the appendix to our first report, copies of which may still be obtained by addressing the secretary.

The result of the third and fourth determinations of the committee, and the petitions to the General Court of 1892 which resulted therefrom, was the appointment of a *joint special committee on public reservations*, which, upon the petition of several thousand citizens of the metropolitan district of Boston, and with the assistance of a committee representing the local park boards, reported an act creating a commission to inquire and report upon the subject of ample open spaces for the whole neighborhood of Boston. The report of these commissioners, Messrs. C. F. Adams, Philip A. Chase, and W. B. de las Casas, must be presented to the legislature of 1893. It is to be hoped that it may lead to the establishment of an executive metropolitan commission possessed of power to ignore the local boundaries which so hamper the existing local park boards.

It will be remembered that a special report from Agent J. B. Harrison, describing the condition of the Province

Lands upon Cape Cod, led your committee to petition the General Court of 1892 for better management for the State's domain. Accordingly, the special joint committee on public reservations gave a hearing on the subject, when numerous petitioners from Provincetown also appeared, asking for a special appropriation for roads across the sands. The members of the committee were very busy over other matters, and both petitions were referred to the next General Court; but at the instigation of Provincetown people an Act was passed on the last day of the session, which directed the Trustees of Public Reservations to investigate the condition of the lands in question and to report in 1893. As authorized by the full Board, your committee has attended to this unlooked for and somewhat troublesome matter, and has filed a report which reviews the whole subject and insists upon the need of better management for the sake of preserving the invaluable harbor which the Province Lands enclose. This report to the General Court will be found in Appendix III.

The above report is respectfully submitted.

PHILIP A. CHASE,
CHARLES S. SARGENT,
HENRY P. WALCOTT,
GEORGE WIGGLESWORTH,
CHARLES ELIOT,

Standing Committee.

BOSTON, Jan. 25, 1893.

REPORT OF THE TREASURER.

*To the Trustees of Public Reservations and their Founders,
Life Associates, and Contributors:*

During the past year subscriptions have been received for two different purposes, namely:—

First. For the general object of the Corporation.

Second. For the care and protection of the tract of woodland in Stoneham, known as Virginia Wood, the property of the Trustees of Public Reservations.

The subscriptions for the general objects of the Corporation have amounted to thirteen hundred and fifty-three dollars (\$1,353).

The subscriptions for the Virginia Wood Fund amounted to eighteen hundred and fifty-nine dollars and sixty-five cents (\$1,859.65).

Among the subscriptions above referred to is one of one thousand dollars (\$1,000) from Miss Ellen Chase. Miss Chase's name has therefore been added to the list of Founders of the Corporation.

Three of the contributions have amounted each to a hundred dollars or more, and the names of these three contributors have therefore been added to the list of the Life Associates of the Corporation.

The greater portion of the money contributed for the Virginia Wood Fund has been invested in two Great Northern Railway 4 per cent. gold bonds of the face value of \$2,000, costing \$1,840.

GEORGE WIGGLESWORTH, *Treasurer*, IN ACCOUNT WITH
THE TRUSTEES OF PUBLIC RESERVATIONS.

From Jan. 1, 1892, to Jan. 2, 1893.

Dr.	GENERAL ACCOUNT.	Cr.
1892.		
Jan. 1.		By Cash :
To Balance,	\$271.76	Printing, stamps, etc., . . . \$506.43
Subscriptions during		Secretary's expenses, . . . 37.40
1892,	1,353.00	Balance, 1,090.72
Interest from State St.		
Safe Deposit & Trust		
Co. to Jan. 1, 1893, . .	9.79	
	<u>\$1,634.55</u>	<u>\$1,634.55</u>
1893.		
Jan. 2. To Balance, . . .	\$1,090.72	

Dr.	AGENT'S ACCOUNT.	Cr.
1892.		
Jan. 1. To Balance, . . .	\$371.67	1892.
		May 6.
		By Cash (paid to J. B. Har-
		rison), \$30.00
		Balance, 341.67
	<u>\$371.67</u>	<u>\$371.67</u>
1893.		
Jan. 2. To Balance, . . .	\$341.67	

Dr.	VIRGINIA WOOD FUND.	Cr.
1892.		
Jan. 1. To Balance, . . .	\$107.00	1892.
Subscriptions,	1,859.65	May 28.
		By \$2,000 Great Northern
		Railway 4% Gold Bonds, \$1,840.00
		Aug. 12. By Cash, printing, 4.50
		Balance, . . . 122.15
	<u>\$1,966.65</u>	<u>\$1,966.65</u>
1893.		
Jan. 2. To Balance, . . .	\$122.15	

PROVINCE LANDS.

1892.			1892.		
Dec. 31. To Balance, . . .	\$802.83		Dec. 31. By Cash,* . . .	\$802.83	
	<u>\$802.83</u>			<u>\$802.83</u>	
			1893.		
			Jan. 2. By Balance, . . .	\$802.83	

The subscriptions for general purposes and for the Virginia Wood Fund have been as follows:—

FOR GENERAL PURPOSES.

Miss Z. D. Smith,	\$5.00	Charles F. Chamberlayne, .	\$1.00
Louis Robson,	10.00	William Whiting,	100.00
Miss Ellen Chase,	1,000.00	Philip A. Chase,	25.00
Mrs. J. H. Thorndike, . .	5.00	Mrs. H. W. Wellington, . .	1.00
Henry G. Reed,	20.00	J. C. Braman,	10.00
William E. Fuller,	5.00	Miss Mary Sophia Walker, .	10.00
Henry M. Lovering, . . .	25.00	George A. Farlow,	100.00
Old Residents' Historical As-		Appalachian Mountain Club,	25.00
sociation of Lowell, . . .	1.00	William C. Hades,	10.00

FOR THE VIRGINIA WOOD FUND.

Mrs. Elisha Atkins,	\$50.00	L. F. Cutter,	\$5.00
N. P. Hallowell,	10.00	C. C. Hall,	5.00
William H. Cades,	10.00	I. P. Hall,	5.00
Miss Helen Porter,	10.00	Mrs. R. L. Hawes,	5.00
Louis E. K. Robson,	10.00	W. R. Davis,	5.00
Mrs. Liberty Bigelow, . . .	5.00	R. F. Curtis,	5.00
John D. Street,	5.00	E. E. Norton,	5.00
Miss Ellen J. Baker,	2.00	M. Chamberlain,	5.00
Byron Groce,	2.00	Mrs. P. R. Hollingsworth, .	5.00
T. W. Higginson,	3.00	J. A. Palmer,	5.00
Miss M. C. Jackson,	300.00	G. M. Jones,	5.00
J. W. Tufts,	25.00	Mrs. C. C. P. Thayer, . . .	5.00
William H. Niles,	10.00	William C. Wait,	2.00
I. Y. Chubbuck,	10.00	J. R. Carret,	5.00
C. H. Hardwick,	10.00	A. Nickerson,	5.00
E. F. Sawyer,	5.00	D. W. Lawrence,	10.00
William C. Collar,	5.00	W. C. Wright,	10.00

* These expenses were incurred in the performance by the Trustees of the duties imposed upon them by the last legislature with reference to the Province Lands at Provincetown. The sums thus paid out are to be repaid by the Commonwealth.

J. K. Manning,	\$10.00	C. Morris Fredick,	\$5.00
Miss E. M. Wright,	5.00	George L. Gould,	2.00
Miss A. W. Lincoln,	5.00	A. J. Chase,	5.00
F. W. Freeborn,	5.00	H. A. Carson,	5.00
Dr. Thomas Crozier,	5.00	J. G. Chandler,	5.00
J. E. Alden,	5.00	Frank J. Bartlett,	10.00
Miss E. A. Thackray,	5.00	J. O. Goodwin,	5.00
Mrs. S. A. Woods,	5.00	Home and Field Club,	5.00
Miss H. E. Freeman,	2.00	Mrs. M. E. York,	1.00
A. S. Johnson,	2.00	Miss M. I. Tufts,	1.00
M. E. Bosworth,	2.00	*Miss E. E. Chase,	1.00
M. F. Cummings,	2.00	John M. Corbett,	5.00
Miss Adelina May,	1.00	F. H. Odiorne,	5.00
Miss Isabella Paine,	1.00	G. A. Gibson,	10.00
M. A. Knowles,	1.00	Royal P. Barry,	25.00
E. L. Sampson,	1.00	Nathaniel P. Jones,	25.00
F. W. Sampson,	1.00	John W. Farwell,	25.00
Miss Clara J. Bates,	1.00	A. V. Lynde,	25.00
Miss Susan M. Daniell,	1.00	Harry Hunt,	10.00
Miss Isabel Batchelder,	1.00	Levi S. Gould,	10.00
Charles H. French,	25.00	Washburn Emery,	10.00
Rosewell B. Lawrence,	10.00	Winthrop Messenger,	10.00
Charles R. Cross,	10.00	A. B. Franklin,	10.00
C. A. Cutter,	5.00	Seth E. Benson,	10.00
Miss Sarah W. Ames,	2.00	J. C. Howes,	10.00
Miss M. A. Coe,	2.00	B. Marvin Fernald,	10.00
John W. Gourgas,	1.00	William E. Barrett,	10.00
Mrs. J. H. Thorndike,	5.00	T. W. Ripley,	10.00
William A. Thompson,	10.00	Frank L. Washburn,	10.00
Philip G. Wright,	5.00	N. D. Blake,	10.00
Mrs. M. E. Loud,	5.00	George J. Bicknell,	10.00
Miss Ada H. Hersey,	1.00	Heman J. Pettengill,	10.00
W. H. Hunt,	1.00	C. H. Isburgh,	10.00
C. E. Ridler,	1.00	F. S. Hesseltine,	10.00
Mrs. C. H. Talbot,	1.00	F. W. Hunt,	10.00
Mr. and Mrs. Otto B. Cole,	2.00	Walter B. Ellis,	5.00
Philip A. Chase,	20.00	Roswell C. Taylor,	5.00
Francis Brooks,	100.00	Moses Page,	10.00
P. C. Brooks,	100.00	George R. Jones,	5.00
Mrs. Francis Brooks,	100.00	C. C. Barry,	5.00
Shepherd Brooks,	100.00	W. F. Conant,	5.00
Henry Brooks,	100.00	Royal B. Leighton,	5.00
Edmund Dwight,	50.00	C. H. Adams,	5.00
E. S. Converse,	50.00	Henry Brown,	5.00
Frederick Brooks,	25.00	Frank G. Startial,	5.00
Edward Brooks,	25.00	Harry H. Hunt,	5.00
E. M. Wheelwright,	5.00	C. Frank Close,	5.00
Howard & Frohock,	25.00	Wingate P. Sargent,	5.00
George H. Fall,	10.00	J. P. Deering,	5.00

L. W. Gilman,	\$5.00	W. S. Richards,	\$1.00
G. E. Monroe,	5.00	John Robson,	10.00
Frank W. Foster,	5.00	John W. Pettengill,	5.00
William N. Folsom,	5.00	Joseph F. Wiggin,	5.00
L. D. Shaw,	5.00	John E. Farnham,	2.00
A. Selwyn Lynde,	5.00	Francis A. Shove,	2.00
C. W. Higgins,	5.00	Thomas R. Howard,	5.00
John Larrabee,	5.00	John Langdon Sullivan,	5.00
J. N. Lombard,	5.00	Arthur H. Wellman,	2.00
E. L. Whittier,	5.00	Ezra A. Stevens, Jr.,	2.00
William Steers,	5.00	Henry Barrett,	10.00
D. Webster Dow,	5.00	Harry H. Barrett,	10.00
Walter I. Nickerson,	1.00	Quincy E. Dickerman,	5.00

Of the amount received from the above subscriptions for the Virginia Wood Fund, one hundred and seven dollars (\$107) were included in last year's account ; but it has seemed best to publish in one complete list the names of all who have contributed to the fund, either last year or this.

The undersigned have examined the accounts and vouchers of the Treasurer of the Trustees of Public Reservations for the year 1892, and find them correctly cast and properly vouched.

CHARLES S. RACKEMANN,
JAMES S. GRINNELL,
Auditing Committee.

BOSTON, Jan. 2, 1893.

APPENDIX I.

CIRCULARS ISSUED BY THE PRELIMINARY COMMITTEES AND BY THE TRUSTEES.

No. 1. Addressed in May, 1890, to Numerous Persons throughout the State.

APPALACHIAN MOUNTAIN CLUB,
9 PARK STREET, BOSTON, 10th May, 1890.

Dear Sir,—At a meeting of the Council of the APPALACHIAN MOUNTAIN CLUB held on Wednesday, April 2, 1890, it was unanimously—

Voted, That Messrs. ELIOT, MANN, and LAWRENCE be a committee to call a meeting of persons interested in the preservation of scenery and historical sites in Massachusetts.

In accordance with this vote, you are hereby invited, with friends who may be interested in the subject, to take part in a conference to be held in Boston, at the Massachusetts Institute of Technology, Boylston Street, at 12 o'clock, on Saturday, May 24, 1890. Hon. Henry H. Sprague will preside, and among those who will either attend the meeting, or send letters, are Governor Brackett, Gen. Francis A. Walker, Dr. O. W. Holmes, Col. T. W. Higginson, Mr. Francis Parkman, and Mr. Frederick Law Olmsted.

Please use the enclosed postal-card to inform the committee whether or not they may expect you.

You are also requested to examine and consider the statements and proposals of the circular which accompanies this letter; and, if you cannot attend the conference, you are respectfully urged to communicate your opinions and suggestions in writing to CHARLES ELIOT, 50 State Street, Boston, before the day of the meeting.

Yours truly,

CHARLES ELIOT,
GEORGE C. MANN,
ROSEWELL B. LAWRENCE,

Committee of Council of A. M. C.

AN OUTLINE OF A SCHEME

For Facilitating the Preservation and Dedication to Public Enjoyment of such Scenes and Sites in Massachusetts as possess either Uncommon Beauty or Historical Interest.

There is no need of argument to prove that opportunities for beholding the beauty of Nature are of great importance to the health and happiness of crowded populations. As respects large masses of the population of Massachusetts, these opportunities are rapidly vanishing. Many remarkable natural scenes near Boston have been despoiled of their beauty during the last few years. Similar spots near other cities of the Commonwealth have likewise suffered. Throughout the State scenes which future generations of townspeople would certainly prize for their refreshing power are to-day in danger of destruction. Unless some steps towards their effectual protection can be taken quickly, the beauty of these spots will have disappeared, the opportunity for generous action will have passed.

Scattered throughout the State are other places made interesting and valuable by historical or literary associations; and many of these also are in danger.

What public or private, general or local, action in aid of the preservation of fine natural scenes and historical sites will it be best to attempt under existing circumstances in Massachusetts? This is the problem which will be the subject of debate at the conference called by the Council of the Appalachian Mountain Club; and it is only for the purpose of provoking discussion that the Committee which has been authorized to call the meeting makes the following proposals:—

1. The establishment of a Board of Trustees to be appointed as follows: Some to be named in the act of incorporation: their successors to be elected by the full Board as vacancies occur. Some to be named by the governing bodies of several designated incorporated societies, such as the Massachusetts Historical Society, the Essex Institute, the Appalachian Mountain Club, etc. Some to be appointed by the Governor and Council.

2. The Trustees to be empowered to acquire by gift from individuals, or bodies of subscribers, parcels of real estate possessing natural beauty or historical interest, and to hold the same, together with funds for the maintenance thereof, free of all taxes.

3. The Trustees to be required to open to the public, under suitable

regulations, all such parcels of their real estate as lie within the limits of those towns and cities which may provide police protection for the same.

4. The Trustees to be prohibited from conveying real estate once accepted by them, except to towns and cities for public uses.

In order to effect the creation of this proposed Board of Trustees, the Committee suggests:—

5. The appointment by the meeting of May 24 of a Standing Committee of twenty-five, to be provided by the meeting with a working fund, and empowered—

a. To draft and present to the General Court at its next session an act of incorporation.

b. To correspond with societies and individuals for the purpose of deciding upon two or three parcels of suitable real estate which, with endowments for maintenance, may be offered to the Trustees immediately upon their incorporation.

c. To secure subscriptions to an endowment fund with the income of which the Trustees may meet their general expenses.

No. 2. Printed Large for Use as a Poster, and sent in the Summer of 1890 to the Hotels and Post-offices of the State.

[PLEASE POST CONSPICUOUSLY.]

THE PRESERVATION OF BEAUTIFUL AND HISTORICAL PLACES IN MASSACHUSETTS.

On May 24, 1890, a conference of persons interested in the preservation of scenery and historical sites was held in Boston at the Massachusetts Institute of Technology. President Henry H. Sprague, of the State Senate, presided. Suggestive speeches were made by the Hon. Leverett Saltonstall, Judge William S. Shurtleff, Professor C. E. Norton, Mr. J. B. Harrison, and others; and letters from Governor Brackett, Dr. Holmes, Mr. Whittier, and many others, were read. The Conference created a Committee to promote the preservation of beautiful and historical sites in Massachusetts, and this Committee now issues the following

CIRCULAR.

The fundamental facts of the subject with which the Committee has to deal are two, namely:—

1st. It is the self-interest of the Commonwealth to preserve, for the enjoyment of her people and their guests, all her finest scenes of natural beauty and all her places of historical interest.

2d. Private ownership of such scenes and places now prevails, so that not only is the public completely barred out from many especially refreshing and interesting spots, but these valuable places are often robbed of their beauty or interest for some small private gain.

The problem calls for intelligent action on the part of the Legislature and generous action on the part of private citizens. The Committee will ask the Legislature to act for the best interests of the Commonwealth by establishing a Board of Trustees, capable of holding lands for the use and enjoyment of the public; and the Committee will ask the owners of lands, and the possessors of money which can buy or maintain lands, to endow the Trustees with suitable lands and considerable funds immediately upon their incorporation. With the fostering approval of the Legislature, the large and small gifts of enlightened citizens have provided Massachusetts with colleges, libraries, art museums, and hospitals. When the State shall have established the necessary organization, gifts of beautiful and interesting places and sites may be confidently expected; for no nobler use of wealth can be imagined.

Judge William S. Shurtleff of Springfield, Hon. Henry L. Parker of Worcester, and Moses Williams, Esq., of Brookline, have been appointed a Sub-committee on Legislation. The establishment of an advisory Board, in addition to the Board of Trustees, will probably be recommended to the Legislature, its members to be elected as Delegates from existing incorporated associations. The State possesses many thriving historical and out-of-doors societies, and they will be called upon to unite in establishing and assisting a Board of Trustees which shall be capable of holding property valuable to one and all. Such acts of the Trustees as involve the assumption of permanent trusts will come before this Board of Delegates for confirmation.

The Committee desires to hear from the officers of all societies which may wish to send Delegates to the proposed Board, and also from the officers or members of any societies which may see fit to assist the Committee by adopting resolutions favoring the establishment of the proposed Board of Trustees for public places.

The Committee hopes to be informed of all movements now on foot looking to the opening to the public of any beautiful or historical places, as also of all lands which it may be desirable and possible to obtain for the proposed Trustees. Letters may be addressed to the nearest member of the Committee, or to the Secretary, Charles Eliot, 50 State Street, Boston.

Lastly, the Committee requests all persons who may feel interested in this attempt to facilitate the preservation of natural scenery and of historical memorials to send contributions for this purpose to the Treasurer of the Committee, George Wigglesworth, Esq., 89 State Street, Boston. If the working fund can be made large enough, the work of the Committee can go on prosperously, otherwise it must languish.

COMMITTEE.

FRANCIS A. WALKER, Boston.
 SARAH H. CROCKER, Boston.
 MARION TALBOT, Boston.
 WM. C. BURRAGE, Boston.
 C. S. RACKEMANN, Milton.
 GEORGE C. MANN, Jamaica Plain.
 L. SALTONSTALL, Chestnut Hill.
 F. L. OLMSTED, Brookline.
 C. S. SARGENT, Brookline.
 MOSES WILLIAMS, Brookline.
 SYLVESTER BAXTER, Malden.
 ELIZABETH HOWE, Cambridge.
 WM. S. SHURTLEFF, Springfield.

JOSEPH TUCKER, Pittsfield.
 CHRISTOPHER CLARKE, Northampton.
 RICHARD GOODMAN, Lenox.
 FRANKLIN CARTER, Williamstown.
 GEORGE SHELDON, Deerfield.
 HENRY M. DEXTER, New Bedford.
 HENRY M. LOVERING, Taunton.
 GEORGE R. BRIGGS, Plymouth.
 J. EVARTS GREENE, Worcester.
 HENRY L. PARKER, Worcester.
 PHILIP A. CHASE, Lynn.
 W. C. ENDICOTT, Jr., Salem.

HENRY P. WALCOTT, Cambridge, *Chairman*.

GEORGE WIGGLESWORTH, Boston,

CHARLES ELIOT, Boston,

Treasurer.

Secretary.

No. 3. Issued in the Autumn of 1890.

THE PRESERVATION OF BEAUTIFUL AND HISTORICAL PLACES.

The following pages contain in briefest form (1) the reasons for making numerous public reservations, (2) the methods by which such reservations have been made, (3) the special reasons for the establishment of the proposed "Trustees of Public Reservations."

I.

Places of historical interest or remarkable beauty should be withdrawn from private ownership, preserved from harm, and opened to the public for the following reasons :

Because it is eminently true that

"where great deeds were done,

A power abides transfused from sire to son."

Because the contemplation of natural beauty is found to refresh the tired spirits of townspeople as nothing else can.

Because the visitation of such places educates the people in the love of nature, of beauty, and of native land.

Because the private ownership of such places deprives the people of a source of education and refreshment which they need to enjoy.

Because the private ownership of such places usually results in the destruction of that special beauty or interest in which their value to the Commonwealth consists.

Because the public ownership of such places means not only enjoyment and enlightenment for the people, but also, by reason of their attractiveness, an increased resort of visitors, and a corresponding in-

crease of wealth in the neighborhood of the reservations, and throughout the State.

II.

Public reservations in the United States have been established (1) by National action, (2) by State action, (3) by Municipal action, and (4) by private action.

(1) The following are examples of National reservations :

The *Yellowstone National Park*: 3,000 square miles of the public domain *reserved* from sale and settlement.

The *Chickamauga and Chattanooga National Military Park*: 7,600 acres of private land condemned and *purchased*.

The *approaches to the Chickamauga Park*: 26 miles of highway accepted by the Nation as a *gift* from the States of Virginia and Tennessee.

(2) The following are examples of State reservations :

The *New York State Forest Reserve* in the Adirondack Mountains: many thousands of acres of the State domain *reserved* from sale and settlement.

The *New York State Reservation at Niagara*: about 100 acres of private land condemned and *purchased*.

The *Connecticut State Reservation* in the townships of Bethel and Redding (The Putnam Memorial Camp): 38 acres, accepted by the State as a *gift* from two citizens.

(3) The following are examples of Municipal reservations :

Boston Common: *reserved* from sale and settlement by the first Colonists.

Franklin Park, Boston: condemned and *purchased* by the City.

Institute Park, Worcester: accepted by the City as a *gift* from a citizen.

(4) The following are examples of reservations secured by private persons, with the approval of various Legislatures:

The *Mt. Vernon Estate*, in Virginia: the property of a Corporation, which is exempted from taxation.

The *Serpent Mound Park*, in Ohio: the gift of a few persons to the Trustees of the Peabody Museum at Harvard University. The Park is open to the public, and it is not taxed.

The *Chittenango Falls Park* in the townships of Cazenovia and Fenner, New York: the gift of several citizens to an incorporated Board of Trustees, who are required to keep the Park open to the public forever.

The *Old South Church*, in Boston: presented by a large body of subscribers to an incorporated Board of Trustees, who hold it as a memorial, exempt from taxation.

The *Longfellow Memorial Garden*, in Cambridge, Massachusetts

presented by the Longfellow family to an incorporated Board of Trustees, whose property is exempted from taxation.

III.

It is proposed to establish in Massachusetts a corporation to be called the "Trustees of Public Reservations." It is proposed to give these Trustees the power to acquire, by gift or purchase, beautiful or historical places in any part of the State, to arrange with cities and towns for the necessary policing of the reservations so acquired, and to open the reservations to the public when such arrangements have been made. This Board of Trustees should be established without further delay, and for the following reasons:

(1) Because the existing means of securing and preserving public reservations are not sufficiently effective. Every year sees the exclusion of the public from more and more scenes of interest and beauty, and every year sees the irreparable destruction of others.

(2) Because, if it is desirable to supplement the existing means of securing and preserving the scenes in question, no method can be found which will more surely serve the desired end than that by means of which Massachusetts has established her successful hospitals, colleges, and art museums; namely, the method which consists in setting up a respected Board of Trustees, and leaving all the rest to the munificence of public-spirited men and women. When the necessary organization is provided, the lovers of Nature and History will rally to endow the Trustees with the care of their favorite scenes, precisely as the lovers of Art have so liberally endowed the Art Museums.

(3) Because a general Board of Trustees, established with power to accept or reject whatever property may be offered it in any part of the State, will be able to act for the benefit of the whole people, and without regard to the principal cause of the ineffectiveness of present methods: namely, the local jealousies felt by townships and parts of townships towards each other.

(4) Because the beautiful and historical Commonwealth of Massachusetts can no longer afford to refrain from applying to the preservation of her remarkable places every method which experience in other fields has approved. The State is rapidly losing her great opportunity to insure for the future an important source of material as well as moral prosperity.

No. 4. Sent out upon the Organization of the Board in July, 1891, Together with a Copy of the Act of Incorporation and a List of the Officers and Members of the Board.

The Trustees invite the co-operation of the public-spirited men and women of Massachusetts in promoting popular interest in the preservation of the beautiful and historical places of the State.

They desire to obtain information regarding existing public reservations of all kinds, their number, character, and locality, and the titles and conditions under which they are held. They also invite suggestions relating to places which it may be thought desirable to preserve for public use, either on account of historic interest or the beauty of the local scenery. In order to acquire this information as soon as possible they have appointed a salaried agent, Mr. J. B. Harrison, who will travel throughout the State, and for whom the Trustees bespeak every assistance.

There is need of more complete recognition of the conditions which will soon result from the increasing density of the population of our country and its concentration in cities and towns. There is need, too, that the value of historical and literary memorials be recognized before they are injured or destroyed. Accordingly, the trustees request all persons who are already interested in any part of the broad field of their endeavors—all persons and societies interested in scenery, in natural history, in history, in public health, and in the common weal in general—to unite in assisting the work of the Board by corresponding with the secretary or agent, and by becoming subscribers to the working fund.

Copies of the By-laws will be sent by the secretary to any address. Section 3 reads as follows :

OF ANNUAL SUBSCRIBERS.

The Annual Subscribers shall be such persons and such societies or corporations as may pay annually into the treasury of the corporation the sum of ten dollars or more.

The Annual Subscribers shall each be entitled to receive a copy of the annual reports of the secretary and treasurer of the corporation.

The Annual Subscribers shall also be invited to the annual conference with the Associates. Each subscribing society or corporation shall be invited to send to the conference one representative for every ten dollars subscribed.

No. 5. Printed with the Seal and the Names of the Officers at the Head of a Broad Sheet, and sent in August, 1892, to the Newspapers, Public Libraries, Post-offices, and Hotels of the State.

BOSTON, August 1, 1892.

TO WHOM IT MAY CONCERN :

In your part of Massachusetts are there any beautiful beaches, bluffs, hill-tops, ravines, groves, river-banks, or roadsides?

Would it not be well to secure for the public the most interesting of these places before their beauty is destroyed or they become fenced in for private gain or pleasure?

Owners of such places, by giving them into the keeping of the Trus-

tees of Public Reservations, will enhance the value of adjacent real estate. Neighbors of such places, by giving them into the charge of the Trustees, may profitably increase the attractiveness of their district. Men and women of Massachusetts who have gained wealth within or without her borders can find no more acceptable way of benefiting their native land than by dedicating one or more of her places of beauty to the enjoyment of all forever.

The Trustees of Public Reservations have been chartered by the Commonwealth expressly to provide the admirers of any beautiful or historical spot in Massachusetts with a ready instrument for making that spot a reservation and for insuring its perpetual care. Whoever gives land or contributes money, whether for the purchase or the maintenance of any particular reservation, or for the general purposes of the Trustees, receives the annual report and is enrolled in the Board's books in accordance with the following By-law:—

OF FOUNDERS, LIFE ASSOCIATES AND CONTRIBUTORS.

All persons from whom the corporation shall receive real or personal property to the value of one thousand dollars or more shall be permanently enrolled as Founders.

All persons not entitled to be enrolled as Founders, from whom the corporation shall receive real or personal property to the value of one hundred dollars or more, shall be enrolled during life as Life Associates.

All persons, societies, or corporations not entitled to be enrolled as Founders or Life Associates, from whom the corporation shall receive one or more dollars, shall be enrolled as Contributors for the year in which payment of such sum is made.

Two Founders, twenty Life Associates, and two hundred Contributors are already enrolled.

A copy of the first report of the Trustees, published in March, 1892, will be sent to any address upon request; and several copies of the next report will be sent to all who will aid the work of the Board by writing for publication in the report a clear account of the present extent and character of the public open spaces and public resorts of some portion of the State, the local opportunities for securing new reservations, and the advantages to be derived from the opening of the same.

Please address all correspondence to

CHARLES ELIOT, *Secretary*,

50 State Street, Room 50, Boston.

APPENDIX II.

STATISTICS OF THE PUBLIC OPEN SPACES OF MASSACHUSETTS.

SECRETARY'S OFFICE,
726 EXCHANGE BUILDING, BOSTON,
1 December, 1892.

My dear Sir,—Will you kindly fill out, or cause to be filled out, the following blank, which should be mailed to me as soon as possible? Our annual report goes to press January 1. Please do not allow your city or town to be entered as not heard from.

Yours truly,

CHARLES ELIOT, *Secretary.*

City or Town of

Names of permanently public open spaces, available for public recreation, and owned by towns or cities, or held in trust for public use; <i>e.g.</i> , public landings, commons, water supply reservations, parks, squares, and the like.	Approximate Acreage.	By What Body controlled or maintained.	Notes on Origin, First Cost, or Other Information.

Please continue on another Sheet.

The information kindly furnished in response to the foregoing letter is embodied in the following alphabetical list of the cities and towns of Massachusetts.

The figures which follow the names of cities and towns give the population of each in 1890.

After the name of each open space appear its area and an abbreviated statement indicating whether the title lies in the city or town or in some other body.

Corrections and additions are earnestly desired.

ABINGTON. 4,260. ISLAND GROVE PARK. 15 acres. Town. In charge of Park Commissioners. Bought in 1882 for \$3,200.

"A public reservation upon which Nature has profusely lavished her charms. The grove of pines is nearly surrounded by Island Grove Pond, beyond which is the business centre of the town. With its matchless beauty, its tender and joyous memories, and its historical associations, the Park is among the most prized and cherished public institutions of Abington."

ACTON. 1,897. THE COMMON. 4 acres. Town. Purchased and given to the town for a common about 1807.

ACUSHNET. 1,027. None.

ADAMS. 9,213. Not heard from.

AGAWAM. 2,352. TRAINING-FIELD. 149 square rods. Bought for \$125 in 1798, and deeded to 45 men, their heirs and assigns. Title is in the heirs. By act of Legislature, 1875, leave was obtained to enclose and grade the field. The town has lately delegated the same right to a "Park Association." The field has been fenced and graded, but is neglected.

ALFORD. 297. None.

AMESBURY. 9,798. Not heard from.

AMHERST. 4,512. THE COMMON. 10 acres. Town. In charge of a Village Improvement Association, and well kept.

The pleasant grounds of Amherst College afford additional semi-public promenades.

ANDOVER. 6,142. INDIAN RIDGE. 9 acres. Town. Cost \$3,500 in 1883. Town gravel bank at one corner.

CARMEL HILL. 6 acres. Town. Cost about \$150 in 1851.

PUMPING STATION LAND. 3 acres. Town. Cost \$800 in 1890.

RESERVOIR LAND. $3\frac{1}{2}$ acres. Town. Cost \$1,300 in 1892.

ELM SQUARE. 1 acre. Town.

SO. CHURCH SQUARE. $\frac{1}{2}$ acre. Town.

THE COMMON. 2 acres. Town.

All of the academy and seminary land on "The Hill" is practically a public park. About 200 acres. Main Street is 200 feet wide through the "Hill" lands.

ASHBURNHAM. 2,074. THE COMMON. 2 acres. Town. Laid out by the original proprietors of the township.

ASHBY. 825. THE COMMON. 4 acres. Town. A gift.

ASHFIELD. 1,025. ACADEMY PLAYGROUND. About 4 acres. Trustees of Sanderson Academy. The gift of the late John W. Field.

ASHLAND. 2,532. Not heard from.

ATHOL. 6,319. Not heard from.

ATTLEBOROUGH. 7,577. **THE COMMON.** 1 acre. Board of Trustees chosen by Fire District No. 1. Belonged formerly to the Congregational church. Bought for \$1,000, obtained by subscription, and given by the purchasers to Fire District No. 1.

AUBURN. 1,532. **THE COMMON.** $2\frac{1}{2}$ acres. Town. "Bought by the town about 1783 for \$150. In 1892 a man in his eightieth year voluntarily graded the land, made walks, and planted rose bushes."

AVON. 1,384. Not heard from.

AYER. 2,148. Not heard from.

BARNSTABLE. 4,023. Town Landings in the villages of Osterville, Cotuit, Centreville, Hyannis, and Barnstable. Owned by the town.

BARRE. 2,239. **NORTH PARK.** 5 acres. Town. Fine shade-trees, gravel walks, and soldiers' monument. Fenced off from the Common.

SOUTH PARK. 3 acres. Town. Trees, flower-beds, seats. Fenced off from the Common.

THE COMMON. 15 acres. Town. Unenclosed, between the two parks. Shade-trees, concrete walks, flower-beds, band-stand, shady seats, and tennis ground. In the centre of the village, 1,400 feet above sea-level.

BECKET. 946. Not heard from.

BEDFORD. 1,092. **THE COMMON.** 3 acres. The town and the First Parish are at law about the ownership. The place was laid out at the time of the incorporation of the town in 1729. It is a square at the town centre.

WILSON PARK. $\frac{1}{8}$ acre. Town. A triangle set apart and dedicated to the memory of Captain Jonathan Wilson, who marshalled the minute-men on this spot before marching to Concord fight, where he was killed.

Mr. Dudley L. Pickman of this town permits the public to visit the "Brother Rocks," two large boulders on the east bank of Concord River, in beautiful scenery, where Governor Winthrop and Lieutenant Governor Dudley selected their farms in 1638.

BELCHERTOWN. 2,120. **THE PARK.** 3 acres. Town. In charge of a Park Association. Part of the land was given by Jonathan Dwight, and a part by Elijah Dwight, on conditions.

BELLINGHAM. 1,334. **THE COMMON.** 1 acre. Town. The gift of Daniel Jones in 1800 for a town-house site.

BELMONT. 2,098. **THE PARK.** $1\frac{1}{4}$ acres. Town. In charge of Park Commissioners. Bought by the town in 1881 for \$6,000. One-half of this amount was raised by subscription, the balance appropriated by the town. A well-kept garden lying between a stone church and the railroad station.

BERKLEY. 894. **THE COMMON.** 9 acres. Town. "Given to the town by a man of the name of Gilbert about one hundred years ago; now neglected, and cattle roam over it at will."

BERLIN. 844. **THE COMMON.** $1\frac{3}{4}$ acres. The Congregational Society. The gift of Samuel Jones about 1784 for a common and site for a church.

POWDER-HOUSE HILL. $\frac{1}{2}$ acre. Town. "An ancient powder-house stands on this land, which was a gift from Rev. William A. Houghton about 1882."

BERNARDSTON. 770. **CUSHMAN PARK.** $2\frac{1}{2}$ acres. Town. In charge of the so-called Cushman Hall Committee, a body composed of representatives of the Trustees of the Powers Institute and the Cushman Library. The gift of Hon. H. W. Cushman.

BILLERICA. 2,381. Not heard from.

BLACKSTONE. 6,138. Not heard from.

BLANDFORD. 871. Not heard from.

BOLTON. 827. Not heard from.

BOSTON. 448,744.

The following open spaces are owned by the city, and managed by a Park Commission:—

	Acres.		Acres.
The Parkway,	378	Franklin Field,	77
Arnold Arboretum,	172	Dorchester Park,	26
Franklin Park,	520	Charlestown Playground,	10
Marine Park,	55	Charlesbank,	14
Wood Island Park,	46	Charlestown Heights,	4
Total area, 1,302 acres.			

The following spaces are owned by the city, and managed by the Department of Public Grounds:—

CITY PROPER.

	Sq. feet.		Sq. feet.
Common,	48 $\frac{2}{5}$ acres	Greenwich Park,	4,100
Public Garden,	24 $\frac{1}{2}$ acres	Commonwealth Avenue,	429,500
Fort Hill Square,	29,480	Union Park,	16,000
Franklin Square,	105,205	Worcester Square,	16,000
Blackstone Square,	105,100	Lowell Square,	5,772
East Chester Park,	9,300	Park Square,	2,867
Chester Park,	13,050	Montgomery Square,	550
Chester Square,	74,000	Pemberton Square,	3,390
West Chester Park,	10,150	Copley Square,	28,399
Concord Square,	5,000	Copley Square,	5,410
Rutland Square,	7,400	City Hall Grounds,	7,700
Berwick Park,	3,800		

SOUTH BOSTON.

Telegraph Hill,	190,000	Lincoln Square,	9,510
Independence Sq., 6 $\frac{1}{2}$ acres			

EAST BOSTON.

	Sq. Feet.		Sq. Feet.
Maverick Square,	4,398	Putnam Square,	11,628
Central Square,	32,310	Prescott Square,	12,284
Belmont Square,	30,000		

ROXBURY DISTRICT.

Madison Square,	122,191	Cedar Square,	26,163
Orchard Park,	99,592	Linwood Park,	3,625
Washington Park,	396,125	Public Ground,	3,200
Longwood Park,	21,000	Highland Park,	114,065
Walnut Park,	5,736	Public Ground,	1,380
Lewis Park,	5,600	Public Ground,	1,662
Bromley Park,	20,975	Playground,	25,000
Fountain Square,	116,000		

DORCHESTER DISTRICT.

Dorchester Square,	56,200	Richardson Square,	75,982
Eaton Square,	13,280	Public Ground,	3,605
Mt. Bowdoin Green,	25,170	Public Ground,	274,000

CHARLESTOWN DISTRICT.

City Square,	8,739	Winthrop Square,	38,450
Public Ground,	3,055	Public Ground,	930
Sullivan Square,	56,428		

WEST ROXBURY DISTRICT.

Public Ground,	31,000	Public Ground,	27,772
Soldiers' Monuments Lots, . .	5,870		

BRIGHTON DISTRICT.

Public Ground,	1,900	Franklin Square,	1,900
Jackson Square	4,300	Rogers Park,	7 acres
Brighton Square,	25,035	Roxbury Canal Lands, . .	130,493

BOURNE. 1,442. None.

BOXBOROUGH. 325. THE COMMON. About 1 acre. Town.

BOXFORD. 865. Not heard from.

BOYLSTON. 770. THE COMMON. About 5 acres. Town and First Parish. First portion, including old cemetery, was purchased by the North Precinct of Shrewsbury in 1774 for £15, old tenor. Second portion by the town in 1792. Third portion by the town in 1794 for £8.

BRADFORD. 3,720. THE COMMON. About 1 acre. First Congregational Society. A gift to the society on condition that it be kept as a Common.

BRAINTREE. 4,848. FRENCH'S COMMON. 5½ acres. Town. The gift of Josiah French about 1857.

BREWSTER. 1,003. **THE GREEN.** 1 acre. First Congregational Society.

BRIMFIELD. 1,096. **THE COMMON.** 3 acres. Town. Laid out by the original proprietors of the township.

SOLDIERS' MONUMENT PARK. $\frac{1}{4}$ acre. Town. Purchased by the town.

BROCKTON. 27,294. **PERKINS PARK.** $1\frac{1}{2}$ acres. City. A gift.

BROOKFIELD. 3,352. **BANISTER COMMON.** About 5 acres. Town. The gift of Colonel Seth Banister for a training field.

BROOKLINE. 12,103. **PARK.** 36.6 acres. Town. In charge of Park Commissioners.

CYPRESS STREET PLAYGROUND. 228,670 square feet. Town.

BROOKLINE AVENUE PLAYGROUND. 166,899 square feet. Town.

DAVIS LOT. 67,179 square feet. Town.

THOMAS LOT. 3.9 acres. Town.

PUMPING STATION LOT. 208,244 square feet. Town.

WATER RESERVE. About 250 acres. For the protection of the source of supply in Needham and Dedham.

BUCKLAND. 1,570. Not heard from.

BURLINGTON. 671. Not heard from.

CAMBRIDGE. 70,028.

The following open spaces are owned by the city, and managed by a committee of the City Council:—

CAMBRIDGE COMMON. 10.59 acres.

WINTHROP SQUARE. .23 acre.

ARSENAL SQUARE. .07 acre.

BROADWAY COMMON. 2.46 acres.

WASHINGTON SQUARE. .97 acre.

HASTINGS SQUARE. .69 acre.

DANA SQUARE. .77 acre.

RIVER STREET SQUARE. .04 acre.

In addition, there is **FRESH POND PARK.** Land, 158.32 acres; water, 166.47. Controlled by the Water Board. "A broad driveway encircles this handsome sheet of water."

THE ESPLANADE. Nearly a mile of the bank of Charles River, dedicated to the public as a promenade by the Charles River Embankment Company.

THE LONGFELLOW MEMORIAL GARDEN. 1 acre. The Longfellow Memorial Association. A plot in front of the poet's house. The gift of his children.

The grounds of Harvard University form a large, semi-public, open space.

CANTON. 4,538. Not heard from.

CARLISLE. 481. None.

CARVER. 994. **TRAINING-FIELD.** 2 acres. Town.

CHARLEMONT. 972. None.

CHARLTON. 1,847. Not heard from.

CHATHAM. 1,954. None.

"Everybody and his friends goes to the sea beaches for amusement. Most of the beaches are used as common property, though the town probably would claim all not held by individuals. The beaches are very attractive to summer visitors."

CHELMSFORD. 2,694. **THE COMMON.** $1\frac{1}{2}$ acres. Town. Set apart in the early days of the town. Upon it stands a monument to the soldiers of the Revolution.

THREE SMALL ENCLOSURES. Total, 1 acre. Town. In charge of Village Improvement Society.

CHELSEA. 27,909. **UNION PARK.** 3 acres. City. Cost about \$12,000, received from George W. Gerrish as a compromise settlement for unpaid taxes on his property in this city, which for some informality in title could not be sold for taxes.

WASHINGTON PARK. $1\frac{3}{8}$ acres. City. A part of the "Poor Farm Estate," so called, enclosed by the city for a park when the balance of the estate was sold.

CHESHIRE. 1,308. **THE COMMON.** $\frac{1}{2}$ acre. Town. The gift of Captain Daniel Brown.

CHESTER. 1,295. Not heard from.

CHESTERFIELD. 608. None. "We do all we can to make the road-sides look well."

CHICOPEE. 14,050.

The following open spaces are the property of the city, and they are managed by the Highway Committee of the city government:—

THE COMMON. 2 acres. Donated to the town when streets were first, laid out. \$6,000 has been recently spent in grading, planting trees, etc.

BULLEN'S PARK. $\frac{1}{2}$ acre. About \$1,000 has been recently spent in improvements. "Located at the pointed intersection of two busy streets and shaded by large maple-trees, forty or more years old; an admirable resting-place."

CHILMARK. 353. Not heard from.

CLARKSBURG. 884. None.

CLINTON. 10,424. Not heard from.

COHASSET. 2,448. **COMMON.** About 4 acres. Town and First Parish.

COLERAIN. 1,671. None.

CONCORD. 4,427. Not heard from.

CONWAY. 1,451. Not heard from.

COTTAGE CITY. 1,080. OCEAN PARK. 2 acres. Town. In charge of Park Commissioners.

HARTFORD PARK. 1 acre. Town.

PENACOOK PARK. $\frac{1}{4}$ acre. Town.

NIANTIC PARK. $1\frac{1}{4}$ acres. Town.

HIAWATHA PARK. $\frac{1}{2}$ acre. Town.

WABAN PARK. $1\frac{1}{2}$ acres. Town.

NAUSHON PARK. $1\frac{1}{2}$ acres. Town.

PETTULUMA PARK. $\frac{3}{4}$ acre. Town.

These spaces were laid out on the original plan of this summer city, and decided by the Supreme Court to be forever open to the public.

CUMMINGTON. 787. Not heard from.

DALTON. 2,885. None. Two fine private parks are open to the public.

DANA. 700. None.

DANVERS. 7,454. Not heard from.

DARTMOUTH. 3,122. Not heard from.

DEDHAM. 7,123. Not heard from.

DEERFIELD. 2,910. Not heard from.

DENNIS. 2,899. OLD WHALING GROUND. Belongs jointly to the towns of Dennis and Yarmouth, as it was a common or town possession when the two towns were one.

DIGHTON. 1,889. LOWER PUBLIC LANDING. $\frac{3}{4}$ acre. Town. Laid out by the original proprietors.

ZEBULON LANDING. $\frac{1}{2}$ acre. Town. Laid out by the original proprietors.

These are landings on Taunton River.

DOUGLASS. 1,908. Not heard from.

DOVER. 727. THE COMMON. 3 acres. Town. Three years ago the town graded and laid out gravel walks at an expense of \$2,000.

Conveyed to the selectmen of 1793 and their successors by Henry Tisdale and Sarah, his wife, "to remain for and be improved as a common for public uses for the inhabitants of said Dover."

DRACUT. 1,996. Not heard from.

DUDLEY. 2,944. Not heard from.

DUNSTABLE. 416. THE COMMON. $1\frac{1}{4}$ acres. Town. Cost £9 in 1790

THE RESERVOIR. $\frac{1}{2}$ acre. Town. Cost, including laying of pipe-stone fountain, etc., about \$2,500.

DUXBURY. 1,908. TOWN-HOUSE LOT. $\frac{1}{2}$ acre.

FIVE TOWN LANDINGS.

E. BRIDGEWATER. 2,911. Not heard from.

EASTHAM. 602. None.

EASTHAMPTON. 4,395. **THE PARK.** 1 acre. Town. Once occupied by the only church.

PUBLIC LIBRARY GROUNDS. 1 acre. Library Association. A gift to the association.

EASTON. 4,493. None.

EDGARTOWN. 1,156. None.

EGREMONT. 845. None.

ENFIELD. 952. None.

ESSEX. 1,713. Part of the town farm is used as a picnic-ground, and a part is leased in lots to cottagers. The farm lies on Essex River, and commands fine views of the marshes and the sea.

THREE PUBLIC LANDINGS: two leased to ship-yards.

EVERETT. 11,068. None.

EWING. 972. Not heard from.

FAIRHAVEN. 2,919. **FORT PHŒNIX.** The United States. Managed as a public resort by the Fairhaven Improvement Association.

FALL RIVER. 74,398.

The following open spaces are the property of the city:—

NORTH PARK. About 20 acres.

SOUTH PARK. 60 acres.

PUBLIC BATHING-PLACE. Not in good condition.

FALMOUTH. 2,567. **TOWN LANDING.** Not much used.

FITCHBURG. 22,037.

The following small spaces are owned by the city:—

UPPER COMMON. $\frac{1}{4}$ acre.

LOWER COMMON. $\frac{1}{4}$ acre. Beside the railroad station. "Flanked by hacks on one side and teamsters' carts on the other."

MONUMENT SQUARE. $\frac{1}{2}$ acre. "A treeless waste, with a soldiers' monument in the centre."

FLORIDA. 436. None.

FOXBOROUGH. 2,933. **THE COMMON.** 4 acres. Town. The gift of Nehemiah Carpenter and Jeremiah Hartshorn, 1783. "Improved and laid out anew in 1857, enclosed by an iron fence and granite posts. Walks bordered with fine maple and elm trees. Said to be one of the most beautiful commons in this part of the State."

FRAMINGHAM. 9,239. **CENTRE COMMON.** 4 acres. Town. Laid out in 1735 for a meeting-house site and training-field. "In this year William Pike sold for £14 to Joseph Buckminster, Isaac Clark, John Gleason, Jeremiah Pike, Jr., and Caleb Bridges, in trust for the whole town of Framingham, four acres."

SOUTH FRAMINGHAM COMMON. 18,584 square feet. Town. The gift of Lovell Eames in 1854, "to be held for a common forever."

FRANKLIN. 4,831. **THE COMMON.** 4 acres. Town. Originally the property of the First Congregational Society. Purchased by the town about 1870 for \$1,500.

THE PARK. 3 acres. Town. The gift of Monroe Morse and Sally Metcalf in 1879.

FREETOWN. 1,417. **ELMS STREET PARK.** 1 acre. Town. The gift of Dr. Campfield.

FORGE LANDING. $\frac{1}{2}$ acre. Town. Bought by the town.

GARDNER. 8,424. None.

GAY HEAD. 139. **GAY HEAD CLIFFS.** Town. "The cliffs present all the colors of the rainbow, and attract thousands of people every summer." The town is under no obligation to preserve the cliffs, and has indeed allowed clays to be mined for commercial purposes. The headland is the most interesting and extraordinary on the whole coast of New England.

SEVERAL WILD CRANBERRY BOGS. Town.

GEORGETOWN. 2,117. **CENTRAL PARK.** $\frac{1}{2}$ acre. Town. Soldiers' monument and trees.

UNION PARK. 1 acre. Town.

LINCOLN PARK. 2 acres. Abutters.

CHURCH SQUARE. $\frac{1}{2}$ acre. Town.

NORTH SQUARE. 1 acre. Town.

SOUTH PARK. $\frac{1}{2}$ acre. Town.

WARREN SQUARE. 2 acres. Town.

MARLBOROUGH SQUARE. 1 acre. Town.

RAILROAD SQUARE. 4 acres. B. & M. R.R. Partially graded.

"These public spaces are being improved from year to year, and are all creations of the last forty years."

GILL. 960. None.

GLOUCESTER. 24,651. None.

GOSHEN. 297. **THE COMMON.** $\frac{1}{2}$ acre. First Congregational Society.

GOSNOLD. 135. Not heard from.

GRAFTON. 5,002. Not heard from.

GRANBY. 765. None.

GRANVILLE. 1,061. None.

GREAT BARRINGTON. 4,612. **TOWN-HALL PARK.** $\frac{1}{2}$ acre. Town.

GREENFIELD. 5,252. **THE COMMON.** $\frac{1}{4}$ acre. Town. Laid out by the original proprietors. Now surrounded by shops.

GREENWICH. 526. Not heard from.

GROTON. 2,057. None.

GROVELAND. 2,191. **ELM PARK.** 1 acre. "Owned by the heirs of W. S. Balch, Benjamin Parker, Nathaniel Ladd, and town of Groveland. Kept in repair by nobody in particular. Abutters look after the trees."
PERRY PARK. $\frac{1}{2}$ acre. First Congregational Society.

HADLEY. 1,669. Not heard from.

HALIFAX. 562. None.

HAMILTON. 961. None.

HAMPDEN. 831. **THE GREEN, OR COMMON.** $\frac{1}{8}$ acre. Town.

HANCOCK. 506. None.

HANOVER. 2,093. **THE COMMON.** $\frac{3}{4}$ acre. Town. The First Congregational Church and the Soldiers' Monument stand on this land.

HANSON. 1,267. **TOWN-HALL LOT.** 1 acre. Town.

HARDWICK. 2,922. **THE COMMON.** 3 acres. Town. About the year 1740 the present Common was taken instead of the original grant. It contained only a narrow strip of land. In 1791 the town voted to enlarge the Common by taking a strip of land belonging to the cemetery, and to accept a piece of land, a gift of General Warner.

HIGH-SCHOOL GROUNDS. $1\frac{1}{2}$ acres. Town. The gift of Mrs. William Mixter and others. Laid out for playgrounds, etc., by the town.

HARVARD. 1,095. **THE COMMON.** 9 acres, 33 rods. Town. The gift of the original proprietors of Lancaster for a meeting-house site, training-field, etc. The original grant was 30 acres.

HARWICH. 2,734. **THE SQUARE.** $\frac{1}{2}$ acre. Town. In charge of the School Committee. The gift of Sidney Brooks by will.

HATFIELD. 1,246. Not heard from.

HAVERHILL. 27,412.

The following open spaces belong to the city, and are in charge of a Park Commission:—

CITY-HALL PARK. $\frac{1}{2}$ acre. Site of the first meeting-house.

WASHINGTON SQUARE. 3 acres. An original public landing on Merrimack River.

MT. WASHINGTON PARK. 1 acre. Given when that part of the city was laid out in streets.

GALE PARK. 1 acre. Presented to city by John E. Gale.

WHITE SQUARE. $\frac{1}{4}$ acre. Presented to city by Samuel White.

RIVERSIDE PARK. 25 acres. Part of the city poor farm.

THE RIVERBANK from Riverside Park to Eastern Avenue, varying from 50 to 100 feet in width.

In addition there is the **WHITTIER HOMESTEAD.** 30 acres. Belonging to trustees from the Haverhill Whittier Club. The gift of Hon. James H. Carleton in 1892.

HAWLEY. 515. None.

HEATH. 503. Not heard from.

HINGHAM. 4,564. THE TRAINING-FIELD, OR COMMON. 1 acre. Town. Laid out by the original proprietors.

FOUNTAIN SQUARE. $\frac{1}{4}$ acre. Town. Laid out by the original proprietors.

HINSDALE. 1,739. None.

HOLBROOK. 2,474. None.

HOLDEN. 2,623. Not heard from.

HOLLAND. 201. THE COMMON. 5 acres. Town.

HOLLISTON. 2,619. MT. HOLLIS. About 10 acres. Town. First cost for school use and town park, \$1,000.

"An elevated tract, mostly covered by wood. The High-school building stands on the south-eastern corner."

HOLYOKE. 35,637.

The following open spaces belong to the city, and are in charge of a Park Commission:—

COGHLAN PARK. 777 square feet. A gift.

CONANCHET PARK. 56,000 square feet. Cost, \$10,000.

EWING PARK. 1,182 square feet. A gift.

GERMAN PARK. 10,882 square feet. A gift.

HAMILTON PARK. 18,059 square feet. Cost, \$6,000.

HAMPDEN SQUARE. 114,400 square feet. A gift.

PROSPECT PARK. 119,713 square feet. A gift.

RANGER PARK. 2,010 square feet. A gift.

HOPEDALE. 1,176. None.

HOPKINTON. 4,088. Not heard from.

HUBBARDSTON. 1,346. None.

HUDSON. 4,670. None.

HULL. 989. 2-ACRE LOT. 2 acres. Town. In charge of Park Commissioners, but unusable at present.

HUNTINGTON. 1,385. VILLAGE PARK. $\frac{1}{4}$ acre. Town. In charge of a Village Improvement Society.

HYDE PARK. 10,193. None.

IPSWICH. 4,439. MEETING-HOUSE GREEN. First Congregational Society.

LAKEVILLE. 935. Not heard from.

LANCASTER. 2,201. PUBLIC LIBRARY GROUNDS. 1 acre. Town and church. Original church lot purchased in 1816, with an academy lot bought in 1820, and a library lot bought in 1868. Ornamented with trees, etc.

TWO TRIANGULAR SPACES AT INTERSECTION OF THREE ROADS. $\frac{1}{4}$ acre. Town. Original common lands of the proprietors.

OPEN SPACE AT NORTH VILLAGE AT INTERSECTION OF HIGHWAYS. $\frac{1}{4}$ acre. Town. Original common lands of the proprietors.

LANESBOROUGH. 1,018. Not heard from.

LAWRENCE. 44,654. **THE COMMON.** 17 acres. City. Deeded by the Essex Company in 1848 on condition that for twenty years the city expend a sum not less than \$300 annually for its care.

STORROW PARK. $10\frac{1}{4}$ acres. City. Given by the Essex Company in 1853.

WEST PARK. $7\frac{1}{2}$ acres. City. Given by the Essex Company in 1873.

UNION PARK. $11\frac{1}{4}$ acres. Essex Company.

DEPOT PARK. $\frac{3}{4}$ acre. Essex Company.

RESERVOIR AND GROUNDS. 16 acres. Water Board.

PUMPING STATION GROUNDS. $9\frac{1}{2}$ acres. Water Board.

LEE. 3,785. **THE PARK.** 1 acre. Town.

LEICESTER. 3,120. **THE COMMON.** 2 acres. Town and academy.

LENOX. 2,889. **A TRIANGLE.** $\frac{1}{4}$ acre. Town. In charge of Village Improvement Society.

A TRIANGLE. $\frac{1}{16}$ acre. Town. Kept in order by the Village Improvement Society.

LEOMINSTER. 7,269. **THE COMMON.** 1 acre. Town. Was purchased by the town many years ago.

OLD COMMON, OR TRAINING-FIELD. 2 acres. Town. The gift of Oliver Carter in 1754 "for a perpetual common, or training-field."

LEVERETT. 702. Not heard from.

LEXINGTON. 3,197. **THE COMMON.** $2\frac{1}{2}$ acres. Town. Bought by subscription in 1711. Cost £16, with an additional area in 1722, costing £25, The scene of the "battle of Lexington," 1775.

HASTINGS PARK. 3 acres. Field and Garden Club. Cost \$2,200, \$1,200 of which was the gift of Miss Alice B. Cary, and \$1,000 was raised by subscription. Bought and improved in 1891.

LEYDEN. 407. None. "The town is one vast park."

LINCOLN. 987. Not heard from.

LITTLETON. 1,025. **THE COMMON.** $1\frac{1}{2}$ acres. Town. Bought in 1801 for £11. A small piece was added in 1885 or 1886, when the town-house was built.

OLD COMMON. $1\frac{1}{2}$ acres. Town. Was the location of the first church-built between 1714 and 1723, and was reserved by the proprietors of common lands, probably in 1714.

LIBERTY SQUARE. $\frac{1}{2}$ acre. Town. Was of early origin, but not recorded.

TWO SMALL TRIANGLES. $\frac{1}{2}$ and $\frac{1}{4}$ acres. Town. Early origin, not recorded.

LONGMEADOW. 2,183. Not heard from.

LOWELL. 77,696.

The following open spaces are owned by the city, and managed by a committee of the City Council:—

NORTH COMMON. 11.29 acres.

SOUTH COMMON. 22.48 acres.

"These Commons are laid out with straight concrete walks, bordered with elm and maple trees, furnishing a very good shade in summer, which is greatly appreciated by large crowds of people who are allowed to enjoy the well-kept lawns; and the sign 'Keep off the grass' has been abolished. Ball games are allowed in sections designated for the purpose."

PARK SQUARE. 1.7 acres.

MT. VERNON SQUARE. $\frac{1}{2}$ acre.

ROGERS FORT HILL PARK. 29 acres.

"Through the generosity of Miss Elizabeth Rogers, who gave the land, and a syndicate of gentlemen, Messrs. Eli W. Hoyt, Freeman B. Shedd, Ethan A. Smith, and Thomas R. Garrity, who contributed the funds (\$25,000) to lay it out and grade it, the city of Lowell has a beautiful park. This park includes within its boundary lines Fort Hill, the location of an old Indian fort, a place of historic value in this locality, and from the top of which a very fine view may be obtained. The whole of this park was beautifully laid out, and drives and walks built, trees and shrubs planted, and the work completed before it was donated to the city of Lowell, making a gift of which any city might be proud."

PAWTUCKET BOULEVARD. 124 acres.

"A strip of land lying along the north bank of the Merrimack River, varying in width from 200 to 1,500 feet, and stretching from a point near Pawtucket Falls westerly a distance of nearly two miles, was donated to the city of Lowell on condition that the city should lay it out as a park, and build driveways, so that it could be used and forever maintained as a public promenade. This strip of land contains about 124 acres, upon which the city has already spent \$78,000. A driveway has been built the entire distance, the greater part of it having a double roadway. A great many trees have been planted, and a considerable part of the river-bank improvement has been completed."

LUDLOW. 1,939. None.

LUNENBURG. 1,146. THE COMMON. About $\frac{3}{4}$ acre. Town. In charge of the Village Improvement Society. Originally deeded to the town for a "training-field." Afterward occupied by the First Church. Now open and improved. In the centre of the Common stands an old button-wood tree, planted by John Fuller July 4, 1776.

LYNN. 55,727.

The following open spaces belong to the city, and are in charge of a Park Commission:—

LYNN WOODS. 1,650 acres. Some of this large area was given to the city, some was purchased with money subscribed by citizens, some was bought with money appropriated by the city government.

MEADOW PARK. $30\frac{1}{2}$ acres.

LYNN COMMON. 21 acres.

GOLDFISH POND PARK. 3 acres.

OCEANSIDE. 700 feet of ocean beach.

In addition there are the Water Supply Reservations, consisting of sev-

eral hundred acres of ponds and their banks controlled by the Water Board. The Lynn Woods, combined with the Water Supply Reservations, form much the largest public domain in Massachusetts. There are included numerous hills, valleys, ponds, brooks, and hidden dells; and it is the intention of the Park Commission to preserve the wildness of the scenery. About one-third of the whole area of Lynn is included in the above-named reservations.

LYNNFIELD. 787. There is an attractive, triangular, open space of several acres at the Lynnfield Centre Post-office.

MALDEN. 23,031.

The following open spaces belong to the city, and are in charge of a Park Commission:—

LOT ON MEDFORD STREET. 21,064 square feet. A gift Sept. 8, 1862. Originally from the Edgeworth Company as laid out by them for a "public ornament."

TRIANGLE, PLEASANT STREET. 5,253 square feet.

LOT ON HIGHLAND AVENUE. 40,000 square feet.

In addition there is WAITT'S MOUNT. About 8 acres. City. In charge of the Water Board. Purchased in 1889 for \$10,000 for a high-service reservoir.

WEBSTER PARK. 376,739 square feet. City. In charge of the Water Board. The site of numerous driven wells and a steam-pump.

MANCHESTER. 1,789. WHITE BEACH PASTURE. 7 acres. Town. Purchased by the town.

TOWN COMMON. 1 acre. Town. Laid out by the original proprietors.

LITTLE CROW ISLAND. 3 acres. Town. Used as common since the first settlement of the town.

WHITE AND BLACK BEACH. Town.

OLD NECK BEACH. Town.

BLACK COVE BEACH. Town.

LOBSTER COVE BEACH. Town.

TOWN LANDING. Town.

POWDER-HOUSE HILL. 13,250 feet. Town. In charge of the Water Board. Site of a high-service reservoir.

PUMPING STATION GROUNDS. 11½ acres. Town. In charge of the Water Board.

WOOD AND PASTURE LAND ON PLEASANT STREET. 8 acres. Town. Purchased by the town.

ESSEX ROAD WOODS. 7 acres. Town. A narrow belt of woods along the highway. Bought by subscription, and given to the town to be preserved in woods.

MANSFIELD. 3,432. THE COMMON. 1 acre. Town. Laid out by the original proprietors for a meeting-house site and common. The rights of the church have lately been purchased by the town.

"A pretty little park, well shaded, and highly prized by our citizens."

THE COMMON AT EAST MANSFIELD. Town. Acquired by purchase.

WATER SUPPLY RESERVATION. About 5 acres. Mansfield Water Supply District. Acquired by purchase.

MARBLEHEAD. 8,202. **FORT GLOVER.** 3 acres. Town. Fine outlook,—from Boston Islands to Eastern Point.

CROCKER'S PARK. $1\frac{1}{2}$ acres. Town. In charge of Park Commissioners. The largest part was presented to the town by Hon. Uriel Crocker, of Boston. The balance was purchased.

FORT SEWALL. 2 acres. The United States. Loaned to the town for park purposes.

OLD FORT. 1 acre. Town. In charge of Park Commissioners. Presented to the town by Hon. J. J. H. Gregory.

OLD BURYING HILL. Town. In charge of the Board of Health. A fine outlook.

MARION. 871. None.

MARLBOROUGH. 13,805.

The following open spaces belong to the city, and are in charge of the Water Board:—

SLIGO HILL. 1.8 acres. The site of a high-service reservoir. "The highest point of land between the ocean and Wachusett."

LAKE WILLIAMS WATER RESERVATION. 38.65 acres land, 72.2 acres water. "For its size as fine a park as could be desired."

MILLHAM BROOK WATER RESERVATION. 146 acres. 70 or 80 acres of this tract will be flooded for an additional water supply.

MARSHFIELD. 1,713. **THE COMMON.** "Not much of it left."

MASHPEE. 298. None.

MATTAPOISETT. 1,148. **TWO BATHING-PLACES.** Town. Beaches on the shore, each about 100 feet square.

MAYNARD. 2,700. **PUMPING STATION GROUNDS.** 3 acres. Town. Water Commissioners.

MEDFIELD. 1,493. None.

MEDFORD. 11,079. **THE COMMON.** 3 acres. Town.

HASTINGS PARK. 1 acre. Town.

BROOKS PARK. $\frac{1}{2}$ acre. Town.

MEDFORD WATER RESERVE. 220 acres. Water Board.

MYSTIC RESERVOIR. 8 acres. Boston Water Board.

MEDWAY. 2,985. None.

MELROSE. 8,519. **THE COMMON.** 4.35 acres. Town. The gift of the Hon. D. W. Gooch.

SEWALL'S WOODS. 8 acres. Town. The gift of the heirs of Hon. S. E. Sewall.

MENDON. 919. Not heard from.

MERRIMAC. 2,633. Not heard from.

METHUEN. 4,814. **PUBLIC LIBRARY GROUNDS.** 3 acres. The trustees of the Nevins Memorial. The gift of the heirs of David Nevins, in connection with a Public Library Building.

THE COMMON. 1 acre. Town. Laid out by the original proprietors for a meeting-house site.

MIDDLEBORO. 6,065. Not heard from.

MIDDLEFIELD. 455. **THE COMMON.** 2 acres. Town. Church, Town Hall, and school-house stand upon it.

MILFORD. 8,780. **TOWN PARK.** No other information.

MILLBURY. 4,428. **THE COMMON.** $\frac{1}{4}$ acre. Town.
RAILROAD PARK. $\frac{1}{4}$ acre. Town.

MILLIS. 786. Not heard from.

MILTON. 4,278. None.

MONROE. 282. None.

MONSON. 3,650. None.

MONTAGUE 6,296. Not heard from.

MONTEREY. 495. None.

MONTGOMERY. 266. **THE COMMON.** 1 acre. Town. Two churches and the Town Hall front upon this space.

MT. WASHINGTON. 148. None. A town of beautiful scenery and very few inhabitants.

NAHANT. 880. **THE LONG BEACH.** A town highway two miles long.

THE SHORT BEACH. A town highway.

The shore by what is called **THE FORTY STEPS.**

The shore beside the highway at **LITTLE NAHANT.**

The above-named beaches are those by which the rock island of Nahant proper is connected with the mainland of Lynn.

NANTUCKET. 3,268. Not heard from.

NATICK. 9,118. **THE COMMON.** About $2\frac{1}{2}$ acres. Town. Purchased about 1857 or 1858, and set apart for public use.

TOWN PARK. 42 acres. Town. In 1880 it was voted "to dedicate the land owned by the town (round Dug Pond) to the purposes of a public park forever."

NEEDHAM. 3,035. **THE COMMON.** 65,000 square feet. Town. Cost, \$2,850.

HIGHLANDVILLE COMMON. 18,096 square feet. Town. Cost, \$650.

PARK bounded by Dedham Avenue, Warren, and School Streets. 12,920 square feet. Town. A gift.

WATER SUPPLY RESERVATION. 17 acres. Town Water Board.

NEW ASHFORD. 125. None. "The whole township a romantic park, lying between Greylock and the Taconic Mountains.

NEW BEDFORD. 40,733. **THE COMMON.** $7\frac{7}{10}$ acres. City.

NEW BRAINTREE. 573. **THE COMMON.** 2 acres. Town. Deeded as a gift when the town was incorporated, 1751.

NEWBURY. 1,427. **THE UPPER GREEN.** 3 acres. Town. Spoken of in town records as early as 1714 as "the training green." Now a beautiful spot.

THE LOWER GREEN. 3 acres. Town. Supposed to have been originally intended for a market-place by the first settlers, who, on their removal to a point three miles farther north, abandoned it to its present condition.

THE CHURCH GREEN. $\frac{1}{2}$ acre. Methodist Episcopal Church.

PUBLIC LANDINGS at Old Town Bridge, Thurlow's Bridge, and Pine Island.

NEWBURYPORT. 13,947.

The following spaces belong to the city, and are managed by a committee of the City Council:—

WASHINGTON PARK. 6 acres. Bartlet Mall. A part of the park was the gift of William Bartlet in 1800. Other estates were given by citizens and purchased by the city. The whole space has been cared for by an Improvement Association.

BROWN SQUARE. 1 acre. The gift of Moses Brown about 1810.

RIVERSIDE PARK. 2 acres. Formerly the town landing.

KENT STREET COMMON. 4 acres.

ATKINSON COMMON. 10 acres.

NEW MARLBOROUGH. 1,305. None.

NEW SALEM. 856. None.

NEWTON. 24,379.

The following spaces belong to the city, and are managed by a committee of the City Council:—

PLAYGROUND. About 20 acres.

FARLOW PARK. About $2\frac{1}{2}$ acres.

AUBURNDAL PARK. About 24 acres.

RIVER PARK. About 3 acres.

In addition there is a **WATER SUPPLY RESERVATION** of about 700 acres, situated in Newton and Needham, and controlled by the Water Board.

NORFOLK. 913. Not heard from.

NORTH ADAMS. 16,074. **PUBLIC PARK.** About 8 acres. Town. In charge of Park Commissioners. The gift of S. A. Kemp some ten years ago, to be maintained by the town as a public park.

"This is high ground, overlooking our entire village; and the views are beautifully grand in every direction."

NORTHAMPTON. 14,990.

The following open spaces are owned by the city, and managed by a committee of the City Council, except as otherwise noted:—

THE PLAIN. $1\frac{1}{2}$ to 2 acres.

SQUARE. $\frac{1}{4}$ acre.

CUTLER PARK. $\frac{1}{4}$ acre.

ELM STREET PARK OR SQUARE. $\frac{1}{2}$ acre.

HINCKLEY COMMON. $\frac{1}{4}$ acre.

LYMAN PARK. $\frac{1}{4}$ acre.

LITTLEFIELD PARK, FLORENCE. 1 acre. In charge of the Village Improvement Society. The gift of Mr. Littlefield.

HILL PARK, FLORENCE. $\frac{3}{4}$ acre. In charge of the Village Improvement Association. The gift of S. L. Hill.

COSMIAN PARK, FLORENCE. $\frac{1}{2}$ acre. In charge of the Village Improvement Association. The gift of the Cosmian Society.

The Cathedral Woods, which were once the pride of Northampton, were felled by their owner a few years ago.

NORTH ANDOVER. 3,742. THE COMMONS. 4 acres. Town.

NORTH ATTLEBOROUGH. 6,727. PUMPING STATION LAND. 12 acres. Town. Cost, \$4,500.

NORTHBORO. 1,952. Not heard from.

NORTHBRIDGE. 4,603. None.

NORTH BROOKFIELD. 3,871. Not heard from.

NORTHFIELD. 1,869. Not heard from.

NORTH READING. 874. Not heard from.

NORTON. 1,785. THE COMMON. 1 acre. Town. Set apart as a site for the First Church. Improved some four years ago at a cost of \$1,850.

NORWELL. 1,635. Not heard from.

NORWOOD. 3,733. None.

OAKHAM. 738. Not heard from.

ORANGE. 4,568. THE COMMON. $\frac{1}{2}$ acre. Town. About fifteen years ago it was improved at an expense of \$500. This is in North Orange, the site of the first village.

ORLEANS. 1,219. None.

OTIS. 583. THE COMMON. No further information.

OXFORD. 2,616. THE COMMON. No other information.

PALMER. 6,520. Not heard from.

PAXTON. 445. Not heard from.

PEABODY. 10,158. None.

PELHAM. 486. Not heard from.

PEMBROKE. 1,320. None.

PEPPERELL. 3,127. THE COMMON. 2 acres. Laid out by the original proprietors, and still owned jointly by the First Parish and the town.

PERU. 305. MEETING-HOUSE COMMON. 2 acres. Town. Surveyed and laid out by the selectmen of Partridgefield Sept. 5, 1796.

PETERSHAM. 1,050. THE COMMON. 3 acres. Town. In charge of a Village Improvement Society.

PHILLIPSTON. 502. Not heard from.

PITTSFIELD. 17,281.

The following open spaces belong to the city:—

CENTRAL PARK. 1 acre. The remainder, of a common laid out by the original proprietors.

“A little cluster of large trees in the middle of the town, under which are benches for the people to sit upon and to enjoy the shade and the breezes. There is nothing else there save the soldiers’ monument.”

THE COMMON. 7 acres. A public ball-ground.

BURBANK PARK. About 40 acres. The gift of the late Abraham Burbank. This land forms part of the shore of the beautiful Lake Onota, about two miles from the centre of the city.

“This is the most picturesque region of Massachusetts. Valleys a thousand feet above the sea, with hills rising another thousand feet, lakes and brooks of the purest and clearest water, vistas of rolling hills broken by fertile valleys, make the scenery charming indeed. Every year more and more of the land is taken by wealthy men. Already some of the most beautiful lakes are entirely surrounded by large summer places, and thus excluded from the public. Lake shores and hill-tops afford scenery not to be equalled in this State, and should not be monopolized entirely by private and exclusive ownership. Upon many of our hills the views are magnificent, and land is but a few dollars an acre.”

PLAINFIELD. 435. None.

PLYMOUTH. 7,314. **TRAINING GREEN.** 1 acre. Town. Always owned by the town. In 1711 the town voted to hold it for a perpetual common.

TOWN DOCK. $\frac{1}{2}$ acre. Town. Always public property.

COLE’S HILL. $\frac{1}{2}$ acre. Pilgrim Society. Purchased at sundry times.

PILGRIM WHARF. $\frac{1}{2}$ acre. Pilgrim Society. The gift of J. Henry Stickney, of Baltimore.

The following spaces are owned by the town, and managed by a Park Commission:—

MORTON PARK. 150 acres. The gift of Nathaniel Morton and others in 1889.

BURTON PARK. 1 acre. Two-thirds appropriated by the town. One-third the gift of N. Morton, 1892.

BATES PARK. $\frac{1}{2}$ acre. Dedicated to public use by Moses Bates in 1856.

BEACH PARK. 10 acres. In part the gift of George W. Bramball, 1892. Part of it purchased by the town through the Park Commissioners.

PLYMPTON. 597. **THE GREEN.** About 3 acres. No further information.

PRESCOTT. 376. Not heard from.

PRINCETON. 982. **THE COMMON.** 4 acres. Town and Congregational church.

TOWN HALL GROUND. 1 acre. Town. Cost, \$600.

LIBRARY GROUNDS. $\frac{1}{2}$ acre. The Trustees of the Library. Cost, \$600.

MEETING-HOUSE HILL. 3 to 6 acres. Town.

PROVINCETOWN. 4,642. **TOWN HILL.** 5 acres. The Commonwealth as part of the "Province Lands." In charge of the town. Formerly the site of the Town Hall, now proposed as a site for a monument to commemorate the first landing of the Pilgrims at Provincetown, Nov. 11, 1620, O.S.

Several **PUBLIC LANDINGS** used chiefly for business purposes.

QUINCY. 16,723.

The following spaces are owned by the city, and managed by a Park Commission:—

MERRY MOUNT PARK. 83 acres. The gift of Charles Francis Adams, 1885.

FAXON PARK. 28 acres. The gift of Henry H. Faxon, 1885.

In addition there is a **WATER SUPPLY RESERVATION** controlled by the Water Board.

RANDOLPH. 3,946. None.

RAYNHAM. 1,340. Not heard from.

READING. 4,088. Not heard from.

REHOBOTH. 1,786. None.

REVERE. 5,668. None.

RICHMOND. 796. Not heard from.

ROCHESTER. 1,021. Not heard from.

ROCKLAND. 5,213. **WATER RESERVOIR LOT** on Beech Hill, Abington, and Rockland. 2 to 3 acres. "Too far off to be of any use to anybody. People can't stop to provide a place even for a boy to throw a ball or play marbles."

ROCKPORT. 4,087. None.

ROWE. 541. None.

ROWLEY. 1,248. **THE COMMON.** About 4 acres. Town. Acquired from the Widow Hobsen for a training-field by exchange of land about 1670.

TWO SMALLER COMMONS in the village.

TOWN LANDING on Rowley River.

THE STOCK YARD. About $\frac{1}{4}$ acre. Used as a place for leaving horses when working on the salt marshes.

ROYALSTON. 1,030. **THE COMMON.** 3 or 4 acres. Town.

RUSSELL. 879. None.

RUTLAND. 980. **OLD TEN-ROD ROAD OR COMMON.** 10 acres. Town. Laid out by the original proprietors.

SALEM. 30,301.

The following spaces are owned by the city, and managed by a committee of the City Council:—

THE COMMON. 9 acres. City. The old training-field.

THE WILLOWS. About 30 acres on the shore of the bay.

LIBERTY HILL. $2\frac{1}{2}$ acres.

SALISBURY. 1,316. None.

SANDSFIELD. 807. **THE COMMON.** $1\frac{1}{4}$ acres. Town. Reserved by the original proprietors when the town was settled. Elevated ground commanding an extensive view.

SANDWICH. 1,819. None.

SAUGUS. 3,673. Not heard from.

SAVOY. 569. None.

SEEKONK. 1,317. None. Several ancient commons were sold by authority of the General Court for the benefit of the school funds of Seekonk and Rehoboth about forty-five years ago.

SHARON. 1,634. **THE COMMON.** 1 acre. First Congregational Society.
TOWN SQUARE. $\frac{1}{2}$ to $\frac{3}{4}$ acre. Town.

SHEFFIELD. 1,954. **THE PINE KNOLL.** 4 or 5 acres. Held by five trustees.

"This is a level terrace projecting into the Housatonic meadows, and ringed around by majestic pines of more than a century's growth. The land extends at one point to the village street, and the whole makes an uncommonly lovely village pleasure ground."

SHELBURNE. 1,553. Not heard from.

SHERBORN. 1,381. **THE COMMON.** $2\frac{1}{2}$ acres. First Congregational Society. Set apart by the town in 1679 for a lot on which to build a meeting-house.

SHIRLEY. 1,191. **THE COMMON.** 4 acres. Town. Laid out by the town of Groton April 17, 1755.

THE GROVE. 2 acres. Town. Cost, \$533.

SHREWSBURY. 1,449. **THE COMMON.** 5 acres. Owned jointly by the First Parish and the town. Laid out by the proprietors of the early settlement for public use and for religious purposes. Originally contained some seventeen acres. Has fine shade-trees and gravel walks.

SHUTESBURY. 453. **THE COMMON.** 1 acre. Town. "From this common one can see many miles up and down the lovely Connecticut valley. The view with the windings of the river and the near and distant mountains is one of the most charming in the country."

SOMERSET. 2,106. **TOWN LANDINGS** on shores of Taunton River. Sel-
dom used for any purpose.

SOMERVILLE. 40,152.

The following open spaces belong to the city, and are managed by a committee of the City Council:—

BROADWAY PARK. 16 acres. Acquired in pursuance of Chap. 97, Acts of 1874. Cost, including land, grading, trees, etc., \$212,993.20.

NATHAN TUFTS PARK. $4\frac{1}{2}$ acres. Acquired in pursuance of Chap. 311, Acts of 1891. The ancient powder-house and 68,357 feet of land were donated. The balance, 129,497 feet, bought at 15 cts. per foot, = \$19,424.55.

BROADWAY. 12 acres. A strip on Broadway, varying in width from about eighty to about forty feet. It is grassed, is planted with trees, and has a double track electric railway through the middle. This parkway cost the city for construction \$5,293.22.

CENTRAL HILL. $12\frac{1}{2}$ acres. Bought by the town twenty-two or twenty-three years ago. Upon it stand the City Hall, Public Library, high-school house, and an engine-house. Laid out with walks, driveways, etc. A battery has been placed on the site of the "French redoubt."

SOUTHAMPTON. 1,017. None.

SOUTHBOROUGH. 2,114. **THE COMMON.** 5 acres. Pilgrim Society and the town. Town Hall, church, and school stand on this land.

SOUTHBRIDGE. 7,655. Not heard from.

SOUTH HADLEY. 4,621. Not heard from.

SOUTHWICK. 914. Not heard from.

SPENCER. 8,747. **PUBLIC LIBRARY GROUNDS.** 25 acres. Town. The gift of Hon. Luther Hill.

SPRINGFIELD. 44,179.

The following spaces are owned by the city, and managed by a Park Commission:—

BENTON LAWN. 3.53 acres.

CALHOUN SQUARE. 2.43 acres. Part of old "Poor Farm."

CITY HALL SQUARE. .16 acre. A purchase.

COURT SQUARE. .93 acre. A gift.

FOREST PARK. 350.61 acres. 235.81 acres given; 114.80 acres purchased.

McKNIGHT TRIANGLE. .62 acre. A gift.

MERRICK TERRACE. .55 acre. A gift.

PUBLIC LAWN. .53 acre. A gift.

STEARNS SQUARE. .46 acre. A gift.

TAPLEY PLAYGROUND. 1.07 acres. A gift.

THOMPSON TRIANGLE. 1.06 acres. A gift.

WINCHESTER TRIANGLE. .62 acre. A gift.

STERLING. 1,244. **CENTRAL PARK.** 3 acres. First Congregational Society and the town.

STOCKBRIDGE. 2,132. **THE COMMON.** 3 acres. First Congregational Society. The gift of Thaddeus Pomeroy. Church and Town Hall stand on this land.

WILLIAMS ACADEMY GROUNDS. 2 acres. Town. The gift of Ephraim Williams.

THE PARK. 2 acres. Town. The gift of Cyrus W. Field.

LAUREL HILL. 8 acres. Laurel Hill Association. The gift of members of the Sedgwick family.

INDIAN BURIAL GROUND. $\frac{3}{4}$ acre. Laurel Hill Association.

RAILROAD STATION GROUNDS. $1\frac{1}{2}$ acres. Laurel Hill Association. Purchased by subscription.

PUBLIC LIBRARY GROUNDS. $\frac{1}{2}$ acre. Library Trustees. The gift of Mrs. Frances F. Dwight.

STONEHAM. 6,155. BEAR HILL. Town. In charge of Park Commissioners.

VIRGINIA WOOD. 20 acres. The Trustees of Public Reservations. Gift of Mrs. Fanny Foster Tudor.

SPOT POND. Controlled, with its banks, by the joint Water Boards of Stoneham, Melrose, Malden, and Medford.

PLAYGROUND. Situated in the heart of the town.

STOUGHTON. 4,852. TOWN PARK. 6 acres. Town. In charge of Park Commissioners. Purchased for \$1,800 in 1884.

STOW. 903. THE COMMON. About 1 acre. Town and parish.

LOWER VILLAGE COMMON. 1 acre. Claimed by the adjoining owners.

STURBRIDGE. 2,074. Not heard from.

SUDBURY. 1,197. Not heard from.

SUNDERLAND. 663. None.

SUTTON. 3,180. Not heard from.

SWAMPSCOTT. 3,198. None. "It is with regret not unmixed with mortification that we have to say of our wealthy little town, It has no public spaces, not even a foot of land (save in the street) where a visitor may stand at high tide, and look out upon the ocean."

SWANZEY. 1,456. TOWN LANDING.

TAUNTON. 25,448. THE GREEN. $1\frac{1}{2}$ acres. City. Laid out by the original proprietors.

WOODWARD SPRINGS. 1 acre. City. The gift of Stimpson Woodward, of Wheeling, W. Va., in 1881.

TEMPLETON. 2,999. Not heard from.

TEWKSBURY. 2,515. THE COMMON. $1\frac{1}{2}$ acres. Town. In charge of the Village Improvement Association. Set apart by the incorporators of the town when incorporated, with some additions since that time. Sidewalks, shade-trees, etc.

TRIANGLE. $\frac{1}{4}$ acre. Town. Cared for by the Village Improvement Association.

TISBURY. 1,506. Not heard from.

TOLLAND. 393. A small tract without name in the centre of the town.

TOPSFIELD. 1,022. Not heard from.

TOWNSEND. 1,750. THE COMMON. $1\frac{1}{2}$ acres. Town. The gift of the First Parish. By public subscription lately graded and fenced at an expense of \$2,500.

TRURO. 919. Roads terminating at the shore afford a few PUBLIC LANDINGS.

TYNGSBORO. 662. Not heard from.

TYRINGHAM. 412. Not heard from.

UPTON. 1,878. Not heard from.

UXBRIDGE. 3,408. Not heard from.

WAKEFIELD. 6,982. OLD COMMON AND NEW PARK. 30 acres. Town. Old Common since incorporation of town in 1644. New Park purchased by town about 1870 for about \$25,000. "A delightful strip of grass and trees lying between a highway and the shore of Quannapowitt Lake."

WALPOLE. 2,604. THE COMMON. $1\frac{1}{2}$ acres. Town. Acquired partly by purchase and partly by gift from individuals.

WALTHAM. 18,707. THE COMMON. 7.39 acres. City. Purchased of Boston Manufacturing Company,—one-half in 1854, remainder in 1886, for a lot for a City Hall. Cost, about \$80,000.

WATER SUPPLY RESERVATION. 50 acres. City. In charge of the Water Board. Cost will amount to \$25,000.

WARE. 7,329. WATER SUPPLY RESERVATION. $21\frac{3}{4}$ acres. Town. In charge of the Water Board. Cost, \$3,600.

WAREHAM. 3,451. None.

WARREN. 4,681. Not heard from.

WARWICK. 565. Not heard from.

WASHINGTON. 434. Not heard from.

WATERTOWN. 7,073. TOWN PARK. 5 acres. Town. The Public Library stands on this land.

ABOUT $\frac{1}{2}$ ACRE on the south bank of Charles River. A narrow strip between a highway and the stream.

THREE PUBLIC LANDINGS on Charles River below the dam.

WAYLAND. 2,060. TWO SMALL PIECES. 2 acres. Town. Reserved about two hundred years ago when allotments of land were made by the early settlers. Planted with trees, fine old elms and pines.

WEBSTER. 7,031. None.

WELLESLEY. 3,600. TOWN PARK. 20 acres. Town. The gift of H. H. Hunnewell, Esq. The Town Hall stands on this land.

There are also TWO OR THREE SMALL TRIANGLES in the centre of the village.

WELLFLEET. 1,291. None.

WENDELL. 505. FIRST COMMON. 1 acre, 22 rods. Town. A gift to the town in 1786.

SECOND COMMON. 1 acre, 77 rods. Town. Obtained by purchase in 1792 for £30 by vote of the town.

WENHAM. 886. THE COMMON. $\frac{1}{2}$ to $\frac{3}{4}$ acre. Town. "Granted and confirmed to the town for a training place 18th, 4th mo., 1680," by Thomas Smith.

SWAMP LANDING. About $\frac{1}{2}$ acre. Town. On the southerly side of Wenham Swamp; used as a "landing" for wood from the swamp.

WESTBOROUGH. 5,195. None.

- WEST BOYLSTON.** 3,019. OLD COMMON. 8 acres. Congregational Society. "This land was deeded to the church society by two persons, who stipulated that, should the society ever cease to exist, the land should revert to the heirs of the donors. During the past fifty years the society has ceased to use the land or the meeting-house, and has been kept alive for form's sake by the annual election of officers. As the town now desires to put the neglected common in good order, it will probably adopt the Park Act of 1882, and proceed through a park commission to secure a sound title by condemning the land in question."
- WEST BRIDGEWATER.** 1,917. THE COMMON. A small triangular space occupied by the Soldiers' Monument.
- WEST BROOKFIELD.** 1,592. THE COMMON. 7 acres. Town and parish. The gift of three individuals some time in the eighteenth century.
- WESTFORD.** 2,250. THE COMMON. 1 acre. Town. Purchased by the town for £5 in 1748 for a "training-field."
- WESTHAMPTON.** 477. Not heard from.
- WESTMINSTER.** 1,688. THE COMMON on "Academy Hill." 5 acres. Town. Willed to the town as a "training-field."
- WEST NEWBURY.** 1,796. TRAINING-FIELD. 2 acres. Town.
- WESTON.** 1,664. RIVER PARK. 15 acres. Town. The gift of Charles H. Hubbard, 1892.
- WESTPORT.** 2,599. TOWN LANDINGS. 4 acres. Town. In charge of Landing Commissioners.
- WEST SPRINGFIELD.** 5,077. THE COMMON. About 12 acres. Town. An ancient reservation for pasturage.
- WEST STOCKBRIDGE.** 1,492. CHURCH LAND. 2 acres. "About 1798 Lambert Burghardt executed a deed to the town of two acres as a site for a church, to be held by the town so long as used for church purposes, but no longer. It is yet used for that purpose."
- WEYMOUTH.** 10,866. NORTH WEYMOUTH, OR BEALS PARK. 3½ acres. Town. In charge of Park Commissioners.
- WEBB PARK. 7 acres. Town. In charge of Park Commissioners.
- WHATELY.** 779. Not heard from.
- WHITMAN.** 4,441. WHITMAN PARK. Town. The gift of Augustus Whitman.
- WILBRAHAM.** 1,814. THE GREEN. 10 acres. Town. Laid out by the original proprietors.
- WILLIAMSBURGH.** 2,057. None.
- WILLIAMSTOWN.** 4,221. FIELD PARK. "When the village was laid out in 1750, Main Street was gauged fifteen rods wide. It was intersected by a Cross Street six rods wide. The point of intersection was called the 'Square.' The first two meeting-houses of the town stood upon it in succession. Cyrus W. Field spent \$10,000 in beautifying the old 'Square,' and it is now called Field Park."

MISSIONARY PARK. 14 or 15 acres. "Purchased in 1855 by Williams College, and called "Missionary Park" on account of the famous Haystack Prayer-meeting having been held there in 1806. A monument now marks the supposed site of the haystack. One acre is cut off from this park for a college cemetery."

The grounds of Williams College are largely open spaces.

WILMINGTON. 1,213. THE COMMON. 4 acres. Town. First cost, \$400.

WINCHENDON. 4,390. Not heard from.

WINCHESTER. 4,861. THE COMMON. 2 acres. Town. Bought and kept in order by the town. Cost of fountain, about \$1,000. Land and improvements, \$6,000 to \$8,000.

THREE SMALL PLOTS. Kept in order by the town. Cost of each, about \$1,000. In different parts of the village. Given by citizens.

WATER SUPPLY RESERVATIONS in Winchester, Stoneham, and Medford. About 200 acres of land and water.

WINDSOR. 612. Not heard from.

WINTHROP. 2,726. "Two government reservations for harbor defence batteries comprise together fifty acres, and will furnish the town with ample recreation grounds."

WOBURN. 13,499. PUBLIC PARK. 38 acres. City. Cost, \$7,000. "A charming piece of land."

PUBLIC LIBRARY GROUNDS.

WORCESTER. 84,655.

The following spaces belong to the city, and are managed by a Park Commission:—

THE COMMON. $7\frac{3}{4}$ acres. Came partly by dedication from the original proprietors of Worcester as a meeting-house site, common, and training-field, and through the purchase by the city of the rights of the First Parish in December, 1887, for the sum of \$115,695.

CROMPTON PARK. $12\frac{727}{1000}$ acres. \$44,350.

DODGE PARK. 13 acres. A gift.

EAST PARK. 60 acres. \$45,000 and a concession from the State.

ELM PARK. 88 acres. \$55,000.

FAIRMOUNT SQUARE. 40,200 square feet. A gift.

INSTITUTE PARK. 18 acres. A gift.

LAKE PARK. 1,111 acres. A gift.

NORTH PARK. $39\frac{421}{1000}$ acres. \$28,265.

UNIVERSITY PARK. 13 acres. \$40,873.

WORTHINGTON. 714. Not heard from.

WRENTHAM. 2,566. Not heard from.

YARMOUTH. 1,760. THE COMMON. 1 acre or less. Town. Reserved by the proprietors for making brick. Graded by the town a few years ago.

TOWN DOCK. 1 acre. Town. Reserved by the proprietors. Not much used now.

APPENDIX III.

HOUSE

. . . . No. 339.

REPORT

OF THE

Trustees of Public Reservations,

ON THE SUBJECT OF THE

PROVINCE LANDS.

FEBRUARY, 1893.

Commonwealth of Massachusetts.

[CHAPTER 420.]

AN ACT FOR THE IMPROVEMENT OF THE LANDS BELONGING TO THE COMMONWEALTH AT PROVINCETOWN, IN THE COUNTY OF BARNSTABLE.

Be it enacted, etc., as follows:

SECTION 1. The trustees of public reservations, created by chapter three hundred and fifty-two of the acts of the year eighteen hundred and ninety-one, are hereby authorized to make maps and plans of the lands belonging to the Commonwealth at Provincetown, in the county of Barnstable, not occupied by buildings, and to collect such other information in relation thereto as they may deem expedient, and shall report to the next general court on or before the first Wednesday of February, a comprehensive plan for improving said lands.

SECT. 2. Said trustees shall receive no compensation, but may employ such assistants as they may deem necessary, and may expend such sums therefor and in the discharge of their duties, including the actual travelling expenses of said trustees, as the governor and council may determine.

SECT. 3. This act shall take effect upon its passage. *Approved June 16, 1892.*

REPORT.

By chapter 420 of the Acts of 1892, the Trustees of Public Reservations were directed to make a map of the province lands, and to collect information relating thereto. At a meeting of the trustees, held June 15, 1892, the undersigned were appointed a committee to act for the Board in this matter, and accordingly we now respectfully present the following report and the accompanying map :

As to the physical nature of the province lands the facts are these : The highlands of Cape Cod terminate abruptly at High Head in the township of Truro ; north and west of this point the remainder of Truro and the whole of Provincetown is a region of sand dunes bounded by beaches, the curves of which enclose a perfect harbor at the very extremity of Cape Cod. There is evidence that the tides and waves have built one beach after another, each further north than the last, and that the so-called Peaked Hill bar is a new beach now in process of formation. The sand dunes of the old beaches, as they were one by one protected by new beaches to the north, gradually became clothed with the surprisingly beautiful vegetation which adorns them to-day ; while the hollows between the ridges, each of which was in its day a race run, have gradually been filled, as the race run is now filling. Many of these hollows among the sand hills contain fresh-water ponds, the shores of which support a charming growth of tupelo, sweet azalea, clethra, and the like ; and in the shelter of the ridges and even upon their crests grow oaks, maples, beeches, and pitch pines. The layer of surface soil upon the hills is nowhere more than three or four inches deep ; but the underlying sand is wonderfully retentive of moisture, so that this peculiar terminus

of the cape presents in its uninjured parts a more verdurous landscape than the main body of the outer cape can show.

As to the State's title to the Province lands, the facts appear to be as follows: The colony of New Plymouth was granted all the coast from Cohasset to Narragansett by royal patent dated Jan. 13, 1629–30. The colony in turn granted parts of its domain to the several sub-colonies or plantations, but never so granted the extremity of Cape Cod. On the contrary, the governor of Plymouth, under an order of the General Court of 1650, purchased the tip end of the cape from an Indian called Samson, "for the said Colonies' use." There was included in this purchase all the shore of Cape Cod harbor from House or Long Point "easterly until it comes to a little pond next the eastern harbor" and thence "northerly to the back sea."

In 1692 the Province of Massachusetts Bay acquired all the possessions of Plymouth Colony, and the lands at the cape came to be called province lands. In 1714 it was enacted "that henceforth all the province lands on the said cape be a precinct or district," and in 1727 the following important act was passed:

"Be it enacted, etc., that all the lands on said cape—being province lands—be and hereby are constituted a township by the name of Provincetown, and that the inhabitants thereof be invested with the powers, privileges, and immunities that any of the inhabitants of any of the towns within the province by law are or ought to be invested with; saving always the right of this province to said lands, which is to be in no wise prejudiced. And provided that no person or persons be hindered or obstructed in building such wharves, stages, workhouses, and flakes, and other things as shall be necessary for the salting, keeping, and packing their fish, or in cutting down and taking such trees and other materials, growing on said province lands, as shall be needful of bait at the said cape, but that the same be held in common, as heretofore, with all the privileges and advantages thereunto in any wise belonging."

When the provincial government was at an end these lands thus expressly reserved to the province became the property

REPORT ON PROVINCE LANDS.

of the Commonwealth of Massachusetts, which has maintained its title ever since. To be sure the revised statutes of 1836 contained a section (section 12, chapter 119) which would have transferred the title from the Commonwealth to the squatters on its property at the end of twenty years, had not the General Court enacted in 1854, chapter 261, sections 8 and 9, as follows :

“The title of the Commonwealth as owner in fee to all the province land within the town of Provincetown is hereby asserted and declared, and no adverse possession or occupation thereof by any individual, company, or corporation for any period of time shall be sufficient to defeat or divert the title of the Commonwealth thereto.

“The provisions of the twelfth section of the Revised Statutes, chapter 119, shall not be held to apply to any of the province lands in said town of Provincetown.”

Nothing has occurred since 1854 to impair the title which was then so vigorously asserted.

As to the management of the province lands by colony, province, and Commonwealth, the main facts are the following: The colony of New Plymouth maintained a “water bailiff” at Cape Cod harbor during fishing seasons, and through him collected a considerable income from the sale of “fishing privileges,” which included the right to use the colony lands for the drying of fish. That this use of the lands by fishermen resulted in injury to the protecting vegetation of the sands, is proved by the fact that the first legislation dealing with the cape lands after the union of Plymouth with Massachusetts was “An Act for preserving the harbor at Cape Cod, and regulating the inhabitants and sojourners there.” (Chapter 3, Acts of 1714.) Here is the instructive preamble of this early act :

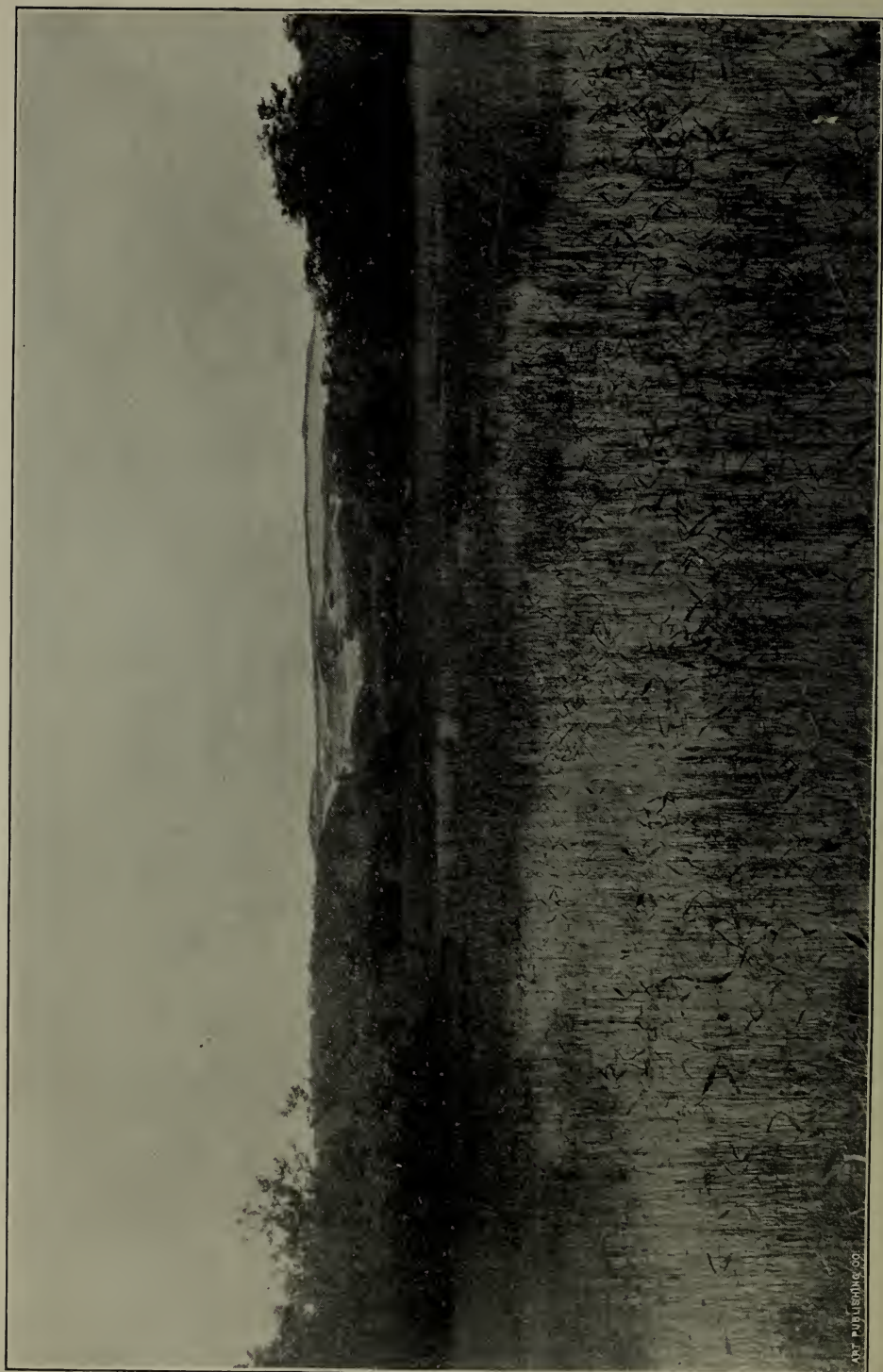
“Whereas, the harbor at Cape Cod, being very useful and commodious for fishing, and the safety of shipping, both inward and outward bound, is in danger of being damnified, if not made wholly unserviceable, by destroying the trees standing on the said cape (if not timely prevented), the trees and bushes being of great service to keep the sand from being driven into the harbor by the wind, — *Be it enacted, etc.*”

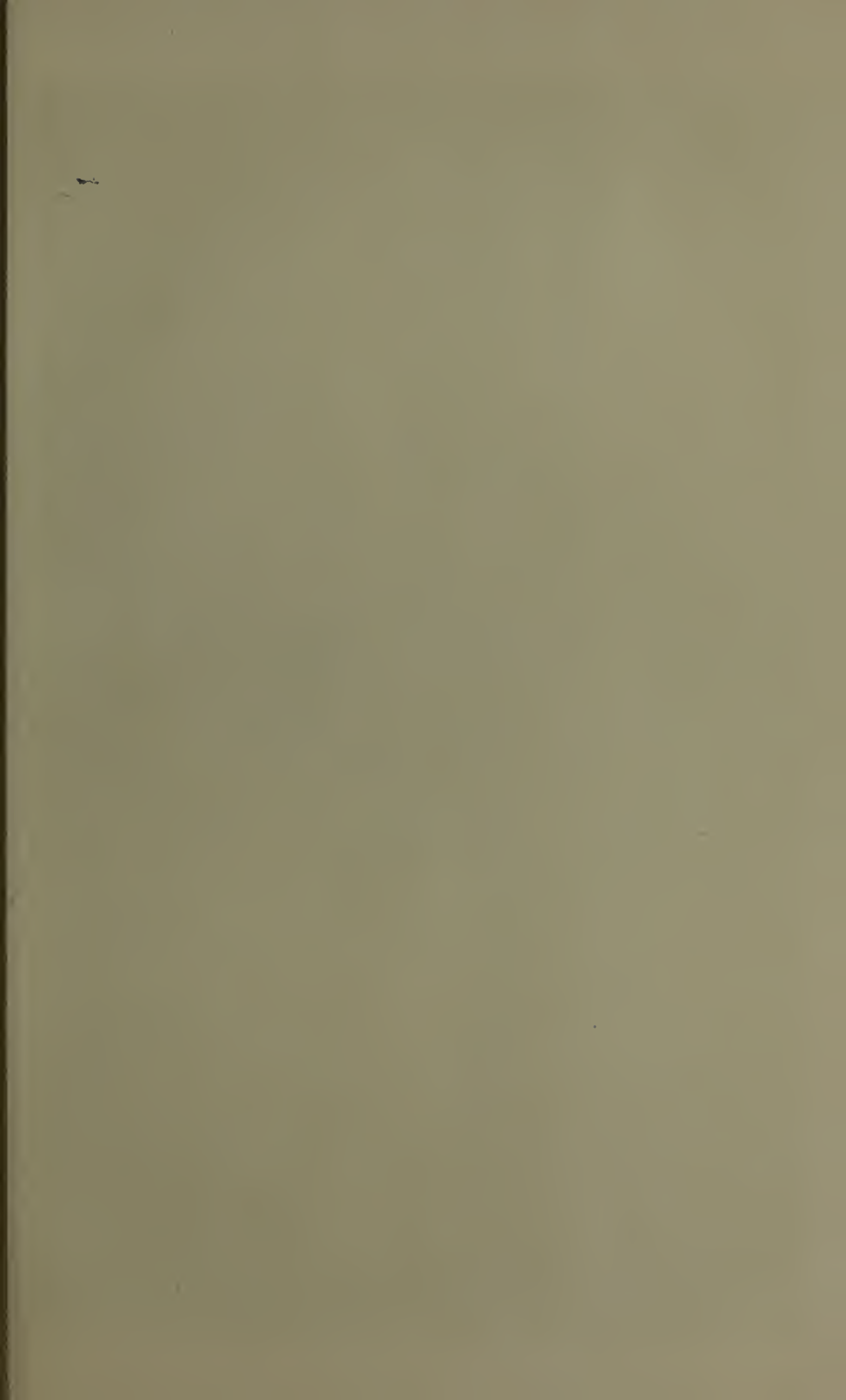
In 1727 the town of Provincetown was established by the act already quoted. Again in 1740 there was published "An Act to prevent damage being done to the harbor of Cape Cod by cattle and horse-kind feeding on Provincetown land;" and when this act proved ineffectual it was amended and added to at various times, and finally recast by the General Court of 1780. Nevertheless, a special commission, appointed in 1825 to report upon Cape Cod harbor, found that trees had been cut down on the seaward side of the Cape, and the sand loosened thereby. "The space, where a few years ago were some of the highest lands on the cape, covered with trees and bushes, now presents an extensive waste of undulating sand." This report resulted in an appeal to the national government, and led to the expenditure of twenty-eight thousand dollars between 1826 and 1838, in an endeavor to repair the damage done to the protecting beaches of the harbor by planting beach grass on the loosened sands. In 1833 we find "An Act to prevent the destruction of beach grass in the towns of Provincetown and Truro." In 1837 a second special commission made various recommendations, which were embodied in "An Act for the preservation of the province lands in the town of Provincetown." In 1852 another five thousand dollars was expended on the cape by the national government, and in 1853 and 1854 reports were again addressed to the General Court by special commissions. The report of 1854 was a thorough and comprehensive document, from which much of the foregoing information has been gathered. Influenced by it the General Court passed still another "Act for the protection of the province lands," namely, chapter 261, Acts of 1854, an act which, as modified by chapter 218 of the Acts of 1869, regulates the management of the province lands to-day. The latest act reads as follows :

AN ACT IN ADDITION TO AN ACT FOR THE PROTECTION OF PROVINCE
LANDS IN PROVINCETOWN.

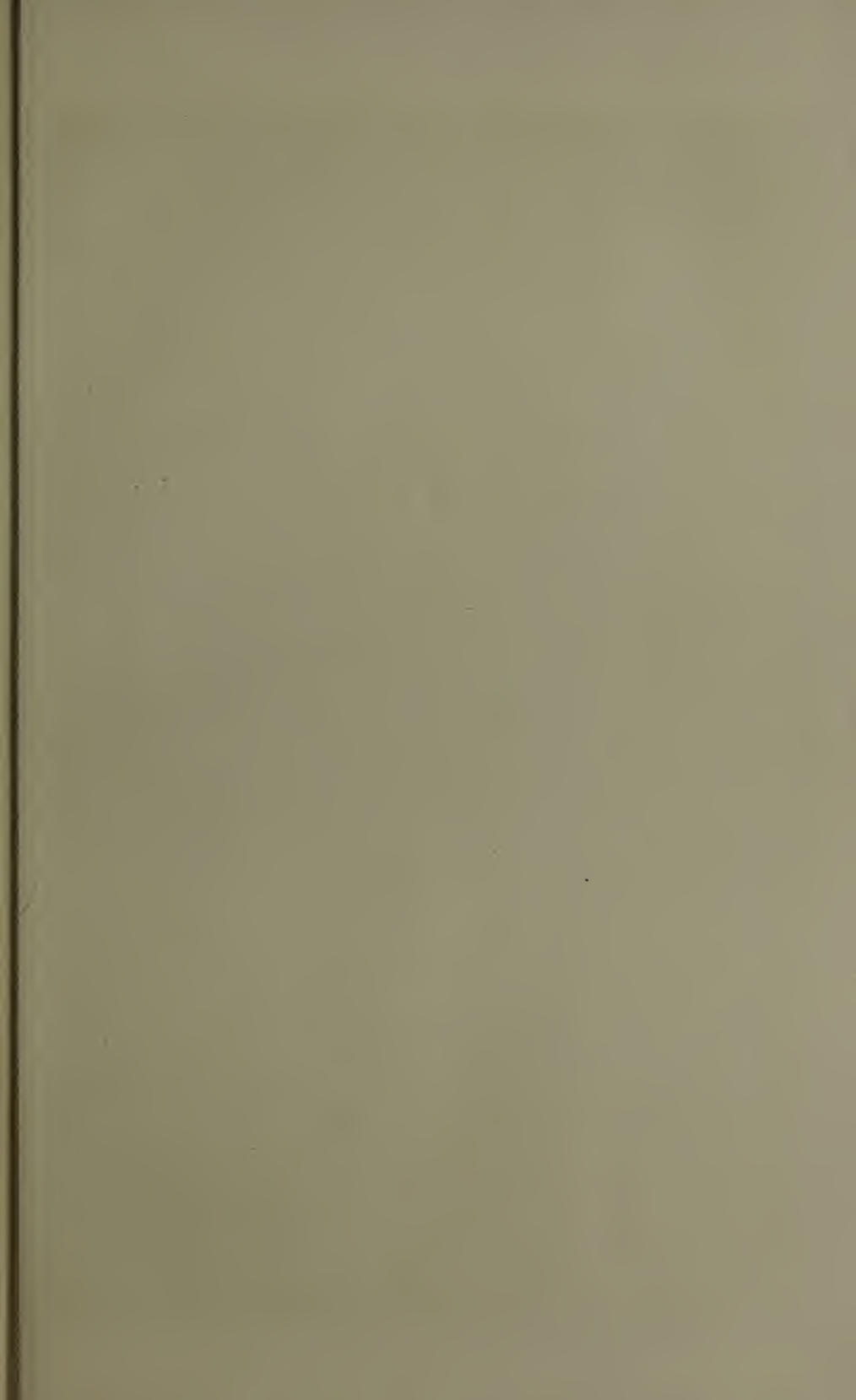
Be it enacted, etc., as follows :

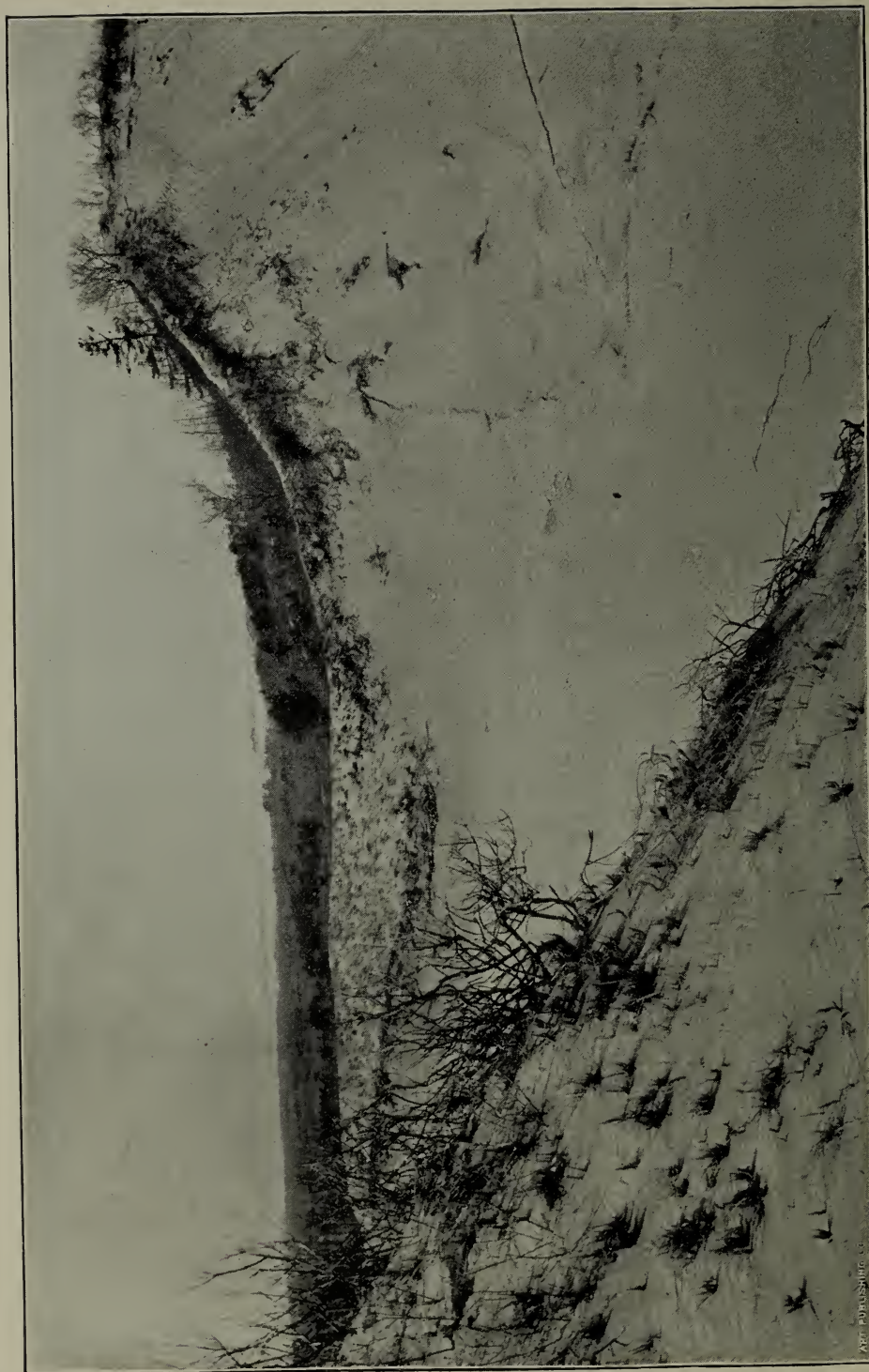
SECTION 1. If any person shall, without the consent in writing of the agent to be appointed as hereinafter mentioned, pull up or destroy any beach-grass, bushes, or trees, or remove sods on or

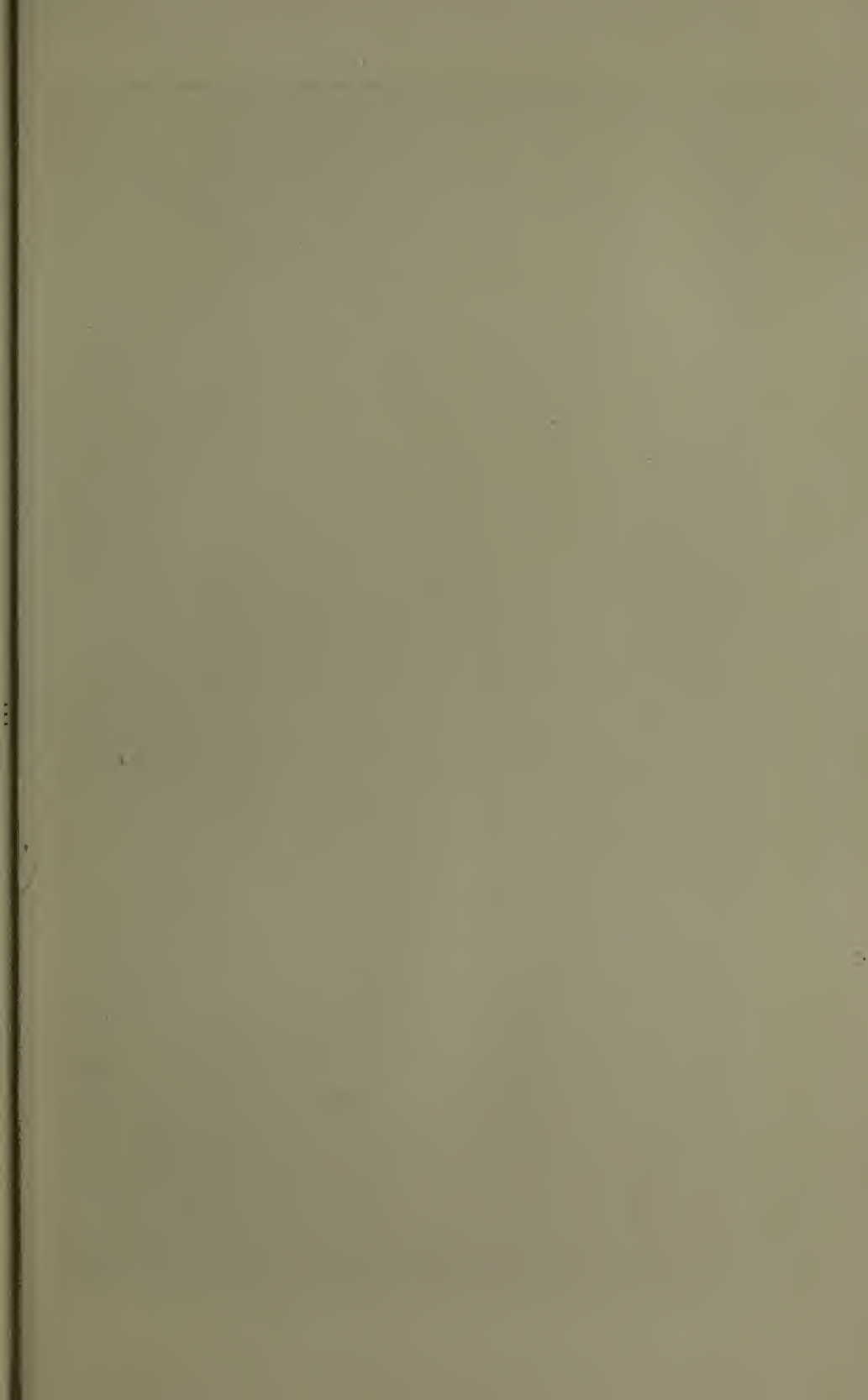


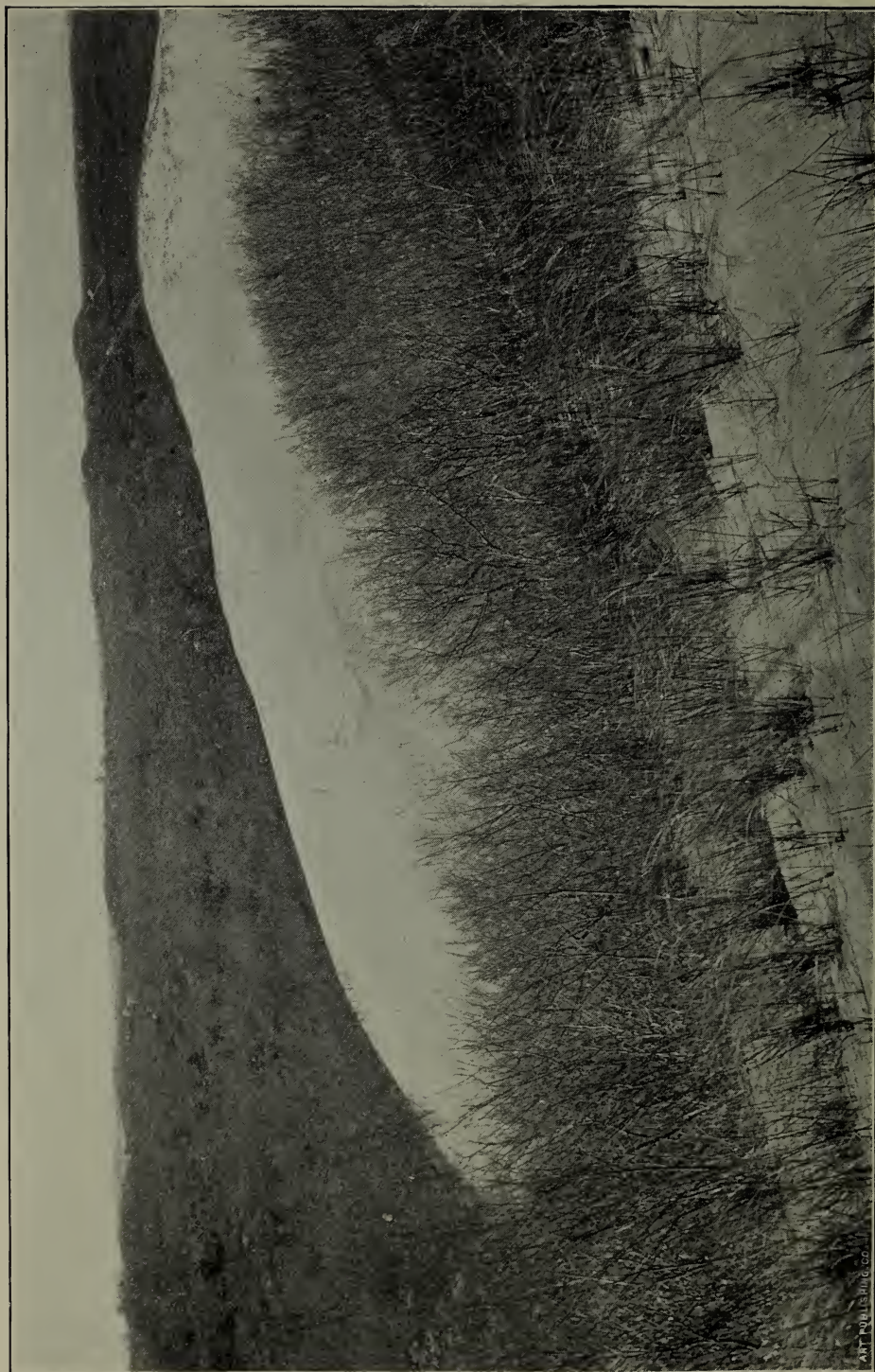






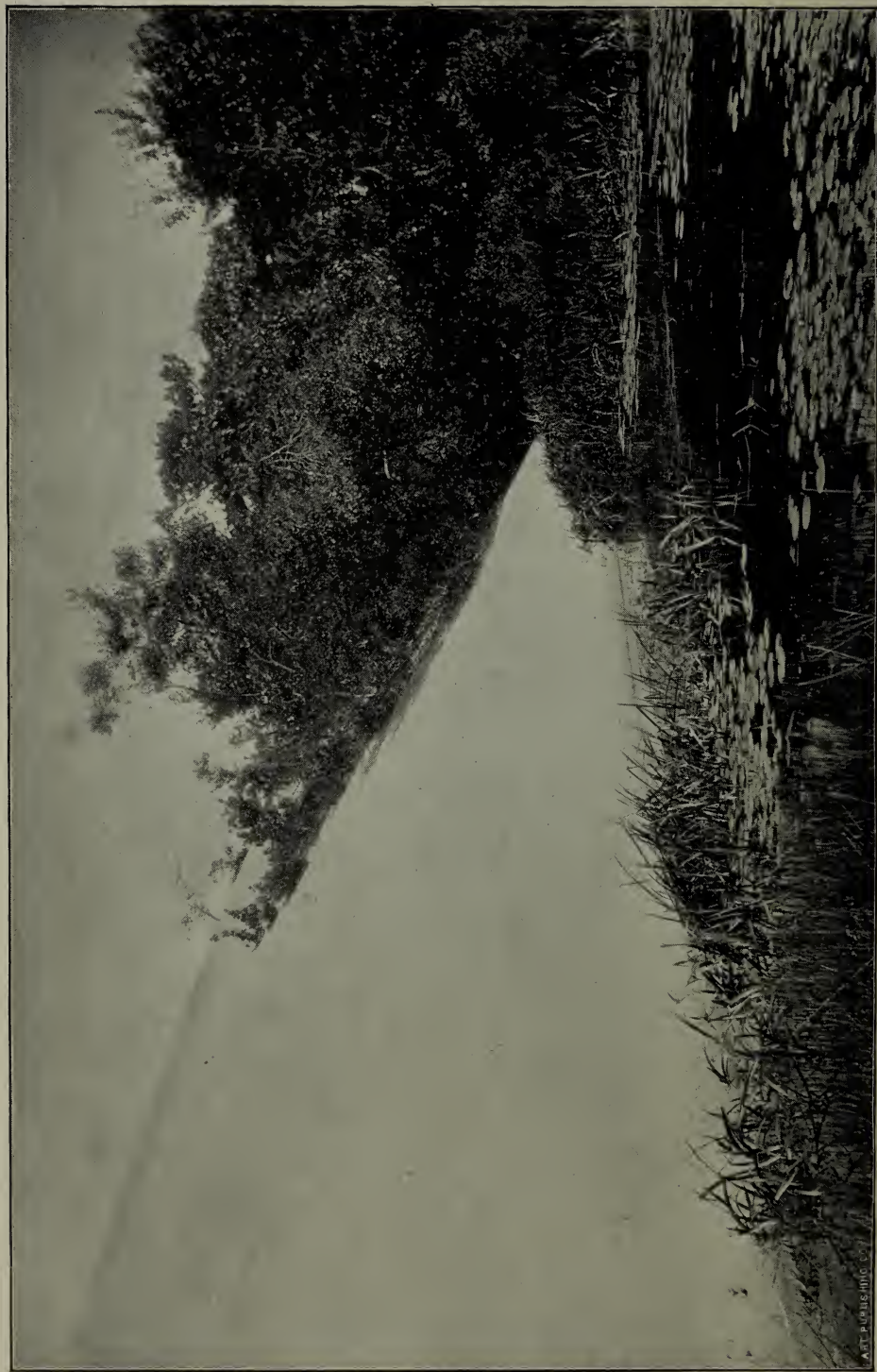




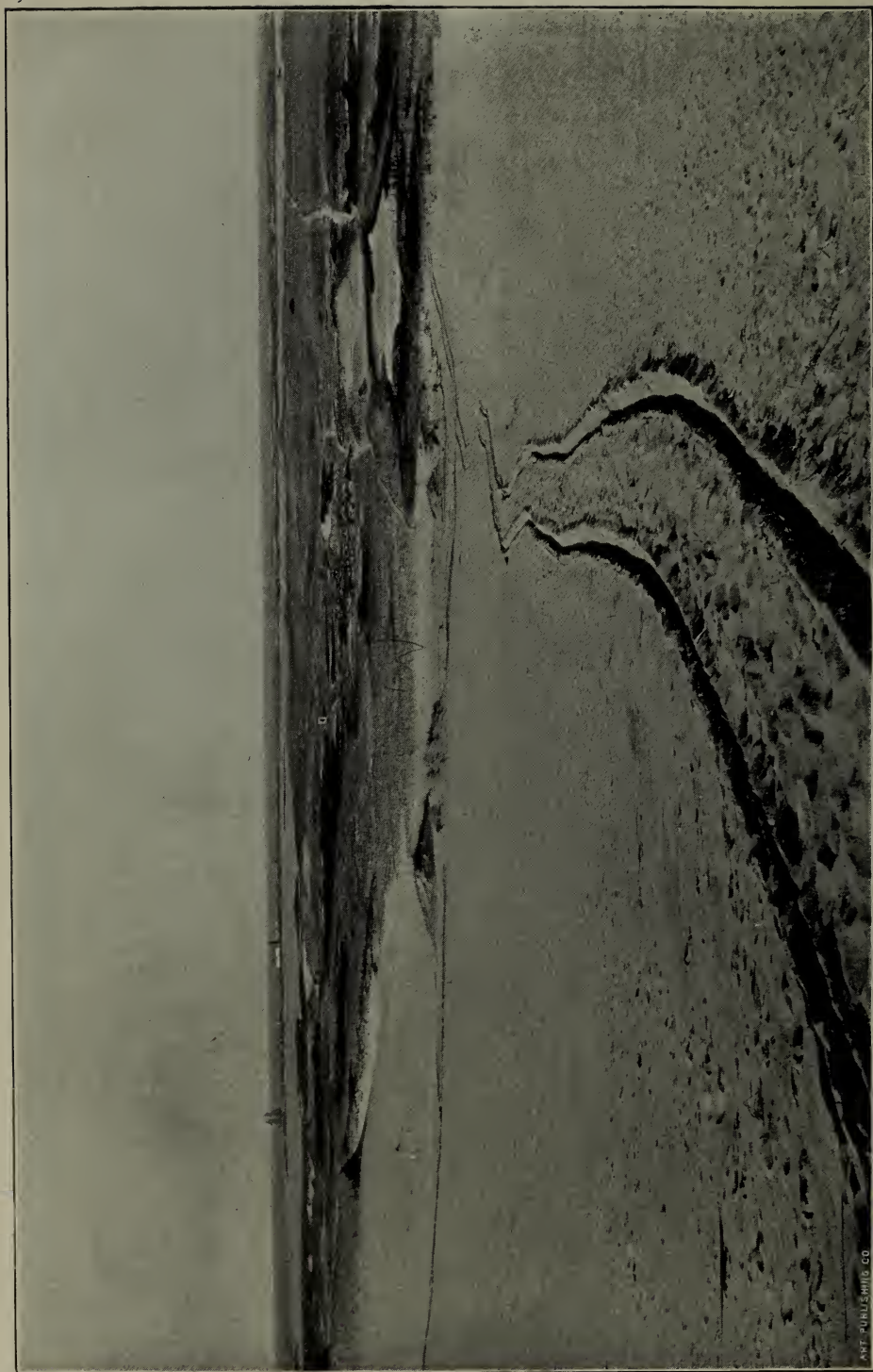


ART GALLERY CO.

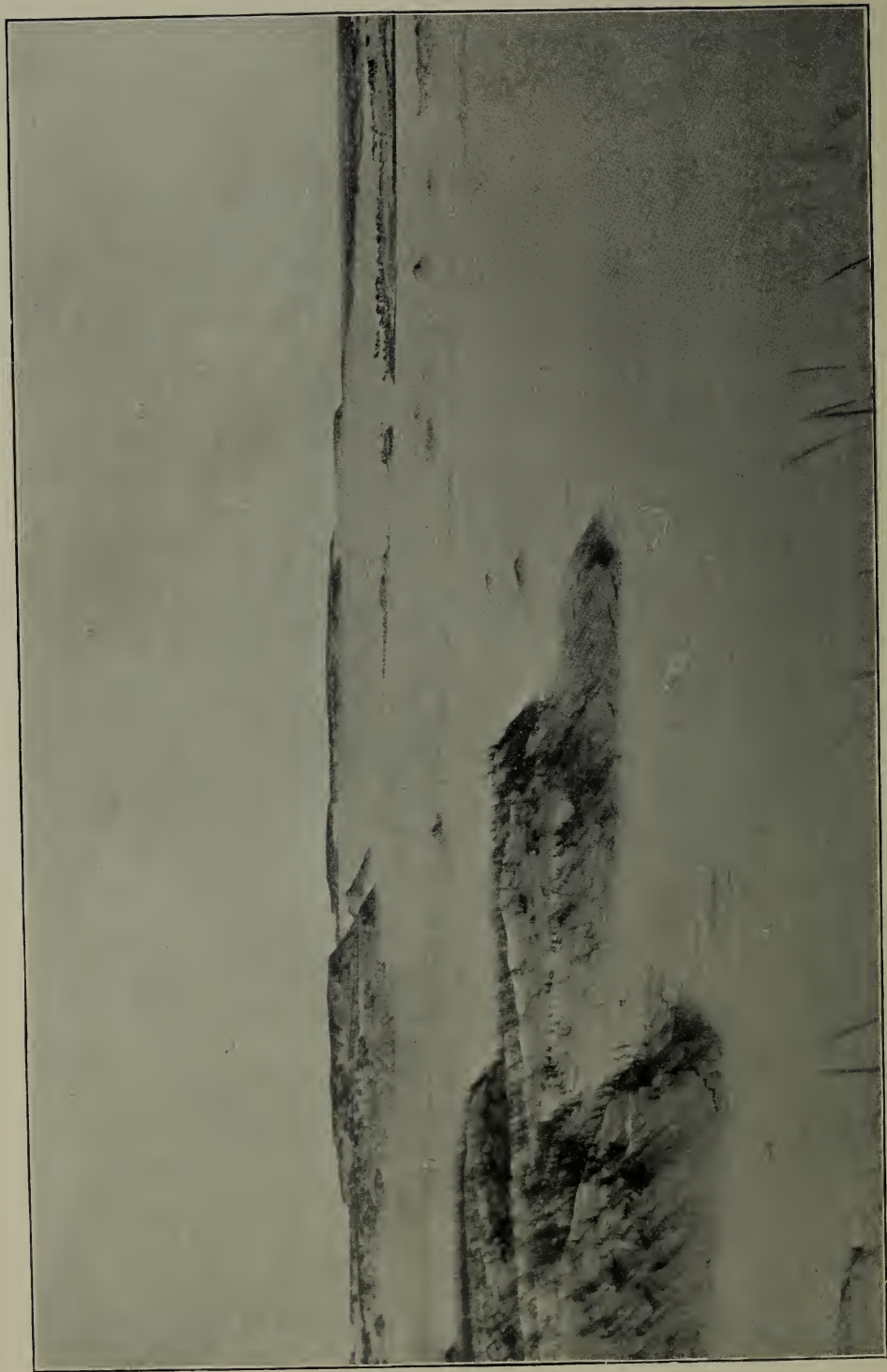












REPORT ON PROVINCE LANDS.

from the province lands in Provincetown, in the county of Barnstable, or shall use any of the said lands for pasturage without consent as aforesaid, he shall forfeit and pay the sum of five dollars for the first offence, and ten dollars for every subsequent offence, to be recovered on a complaint before any trial justice for said county of Barnstable.

SECT. 2. It shall be the duty of the governor, by and with the advice and consent of the council, immediately after the passage of this act, and in the month of June in each year thereafter, to appoint an agent, who shall be an inhabitant of Provincetown, and who shall be sworn to the faithful discharge of his duty, and who shall prosecute for the penalties mentioned in the preceding section, and the same when recovered shall be for the use of said town; and the said agent may grant written permits to remove trees, sods, and brush from unexposed or low and swampy places, and also for pasturage, when, in his opinion, after he shall have made a personal examination of the premises, such permits may be granted without causing injury to Cape Cod harbor, or to any public or private property. For such permits granted by said agent, he shall receive from the party obtaining the same the sum of one dollar, which shall be paid into the treasury of the aforesaid town. Said agent shall hold his office for one year, unless sooner removed by the governor and council, or until his successor shall be appointed and qualified, and he shall receive three dollars for each day's actual service, from said town.

SECT. 3. The said town of Provincetown shall annually elect a committee of three persons, who shall be sworn to the faithful discharge of their duty; and said town is hereby authorized to enter by said committee, chosen as aforesaid, upon any of the province lands enclosed or unenclosed, for the purpose of setting out pines, bushes, or grass, whenever said committee may deem it necessary for the preservation of said harbor or of any highway in said town.

SECT. 4. Whenever, in the opinion of said committee, it shall become necessary, in consequence of any violation of the provisions of this act, to set out pines or beach-grass on any lot of said lands enclosed, the expense thereof shall be paid by the person or persons in the occupancy of the same; and in case of refusal by any occupant to pay such expense, it may be recovered by said committee in an action of contract in any court proper to try the same.

SECT. 5. The said town of Provincetown is hereby empowered to raise annually such sum of money as may be deemed necessary to defray the expenses of planting pines and setting out beach

grass on said province lands, and to pay the aforesaid agent and committee for the services by them rendered; and any sums raised for these purposes shall be assessed and collected as other taxes now are.

SECT. 6. So much of chapter two hundred and sixty-one of the acts of the year eighteen hundred and fifty-four, and all other acts and parts of acts inconsistent with the provisions of this act, are hereby repealed; but nothing in this act contained shall be construed as repealing sections eight and nine of said chapter two hundred and sixty-one, or any portion of section twelve of chapter one hundred and fifty-four of the General Statutes.

In practice this latest of the long series of enactments intended to preserve the province lands and Cape Cod harbor has not accomplished the purpose expressed in its title. The few squatters who occupied small parcels of the province lands when they were made a township in 1727 have increased, until the whole harbor beach is occupied by commercial buildings, and Provincetown, with five thousand inhabitants, has become the largest town in Barnstable county. With so large a population seated upon open lands defended by only one poorly paid agent of the Commonwealth, it is not surprising that unlawful gathering of firewood and sod should have occasioned much damage in the course of twenty years. The fact is that the law of 1869 has become little more than a farce. In 1891 the State agent was paid by the town for just five days' attention to the defence of the State's property, the agent paid to the town four dollars received by him for the four permits, which were all he issued in that year, and no attempt was made to prosecute for taking material without a permit. Moreover, although the town goes through the form of an annual election of a beach grass committee, nothing whatever has been done by this committee during any recent years.

What manner of destruction is going on meanwhile in the rear of the village of Provincetown the pictures herewith submitted will serve to show. Half of the province land is already a treeless waste. The commissioners of 1825 reported to the General Court that this desert was the result of the stripping of vegetation from the seaward sand hills. We find to-day that, once the mat of plant roots is removed

REPORT ON PROVINCE LANDS.

from a windward slope, the north-west gales cut into the wounded place and proceed to undermine the adjacent plant-covered slopes.* The sands blown out of such places are dumped in the lee, in the nearest hollow, burying the trees and bushes and stifling them to death.† Once rid of the trees, the sands are drifted by the winds like snow. The beach grass planted by the government seems to have stayed the destruction of the old ridges in some measure; but the wheels of carts continually crossing the sand drifts in the direction of the worst gales soon broke the grassed surface so that the wind got hold, "blew out" great areas, and dumped the sand in such steep drifts in the edges of the woods that many cart paths become impassable, so that new routes were sought, where the operation was repeated. Within the province lands the grassy Snake Hills and the wooded ridge called Nigger Head have bravely withstood the gales without serious change since Major Graham surveyed the field in 1833-35; but between these two points the winds have made great havoc. Wooded knolls have been cut in two, ponds filled up, and such woodland buried. East of Nigger Head and towards eastern harbor, beyond the bounds of the province lands, the changes have been even more violent. Several salt creeks have been wholly filled up, and former sand ridges levelled so that the hulls of vessels on the ocean are now visible from the harbor.

In view of all these facts and others elicited at the hearing, a stenographic report of which is herewith submitted, it is obvious that Cape Cod harbor can be preserved from eventual destruction only by the united action of the United States, Massachusetts, and Provincetown. The United States, upon obtaining possession of Long Point in 1864, constructed valuable protective works. Over her own portions of the sand breakwater of the harbor the Commonwealth ought certainly to exercise an effective control. The present arrangement under which the agent of the State is paid by the town, and by the day, is anomalous and absurd. Accordingly, in the draft of an act which is appended to this report, the superintendent of the province lands is made the

* See illustration No. III.

† See illustration No. IV.

AN ACT TO PROVIDE FOR THE BETTER MANAGEMENT OF THE
PROVINCE LANDS.

SECTION 1. The board of harbor and land commissioners shall have general care and supervision of the *province lands* at the extremity of Cape Cod, shall fix and mark the bounds thereof, shall establish regulations for the care thereof, shall annually appoint a superintendent thereof, and, with the approval of the governor and council, shall fix the amount of his compensation, and the amount which may be expended by him in the protection and improvement of said lands.

SECT. 2. Chapter 218 of the acts of 1869, and all other acts or parts of acts inconsistent with this act, are hereby repealed.

SECT. 3. This act shall take effect on the first day of July, eighteen hundred and ninety-three.

Societies and individuals interested in Massachusetts history, natural history, scenery, and town and country improvement, are invited to contribute to the working funds of this Board. The annual reports can be promised only to Founders, Life Associates, and Contributors. (See By-laws, Article II.) The Treasurer is George Wigglesworth, 89 State Street, Boston. The Secretary is Henry Russell Shaw, 133 Commonwealth Avenue, Boston, Mass.

THIRD ANNUAL REPORT
OF THE
TRUSTEES
OF
PUBLIC RESERVATIONS

1893



PRINTED FOR THE TRUSTEES BY
GEO. H. ELLIS, 141 FRANKLIN STREET, BOSTON, MASS.

1894

CONTENTS.

	PAGE
OFFICERS AND MEMBERS OF THE CORPORATION, 1893,	4
FOUNDERS, LIFE ASSOCIATES, 1893,	5
AN ACT TO ESTABLISH THE TRUSTEES OF PUBLIC RESERVATIONS, .	6
BY-LAWS, 1893,	7
REPORT OF THE STANDING COMMITTEE,	12
REPORT OF THE TREASURER,	18

APPENDIX I.

PRELIMINARY LIST OF THE DONORS OF THE PUBLIC RESERVATIONS OF MASSACHUSETTS,	21
--	----

APPENDIX II.

TABLES OF CONTENTS OF REPORTS, 1891 AND 1892,	25
---	----

APPENDIX III.

AGENT'S REPORT ON THE PUBLIC RESERVATIONS OF THE SHORE TOWNS OF MASSACHUSETTS,	27
---	----

APPENDIX IV.

A SUMMARY STATEMENT OF THE RIGHTS OF THE PUBLIC ON THE SEASHORES OF MASSACHUSETTS,	54
---	----

ERRATA, REPORT OF 1892,	56
-----------------------------------	----

OFFICERS AND MEMBERS OF THE CORPORATION,
1893.

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Vice-President.

HON. WILLIAM S. SHURTLEFF, Springfield.

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CHARLES S. SARGENT, Brookline.

HENRY P. WALCOTT, Cambridge.

GEORGE WIGGLESWORTH, 89 State St., Boston, *Treasurer.*

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FRANCIS H. APPLETON, Lynnfield.

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E. B. GILLET, Westfield.

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FOUNDERS.

Miss ELLEN CHASE, Boston.

*Mrs. FANNY FOSTER TUDOR, Boston.

LIFE ASSOCIATES.

Frederick L. Ames, Boston.
 Francis Brooks, Boston.
 Mrs. Francis Brooks, Boston.
 Henry Brooks, West Medford.
 Peter C. Brooks, Boston.
 Shepherd Brooks, Boston.
 George A. Farlow, Boston.
 John M. Forbes, Milton.
 H. H. Hunnewell, Boston.

E. S. Horsford, Cambridge.
 Miss M. C. Jackson, Boston.
 N. T. Kidder, Milton.
 W. C. Loring, Boston.
 Mrs. John C. Phillips, Boston.
 Charles S. Sargent, Brookline.
 John E. Thayer, South Lancaster.
 William Whiting, Holyoke.
 George Wigglesworth, Boston.

AN ACT TO ESTABLISH THE TRUSTEES OF PUBLIC RESERVATIONS, CHAPTER 352, ACTS OF 1891.

SECTION 1. Frederick L. Ames, Philip A. Chase, Christopher Clarke, Charles R. Codman, Elisha S. Converse, George F. Hoar, John J. Russell, Leverett Saltonstall, Charles S. Sargent, Nathaniel S. Shaler, George Sheldon, William S. Shurtleff, George H. Tucker, Francis A. Walker, George Wigglesworth, their associates and successors, are hereby made a corporation by the name of The Trustees of Public Reservations, for the purpose of acquiring, holding, arranging, maintaining, and opening to the public, under suitable regulations, beautiful and historical places and tracts of land within this Commonwealth, with the powers and privileges and subject to the duties set forth in chapter one hundred and fifteen of the Public Statutes and in such other general laws as now are or hereafter may be in force relating to such corporations; but said corporation shall have no capital stock.

SECT. 2. Said corporation may acquire and hold by grant, gift, devise, purchase, or otherwise real estate such as it may deem worthy of preservation for the enjoyment of the public, but not exceeding one million dollars in value, and such other property, both real and personal, as may be necessary or proper to support or promote the objects of the corporation, but not exceeding in the aggregate the further sum of one million dollars.

SECT. 3. All personal property held by said corporation, and all lands which it may cause to be opened and kept open to the public, and all lands which it may acquire and hold with this object in view, shall be exempt from taxation in the same manner and to the same extent as the property of literary, benevolent, charitable, and scientific institutions incorporated within this Commonwealth is now exempt by law; but no lands so acquired and held and not open to the public shall be so exempt from taxation for a longer period than two years. Said corporation shall never make any division or dividend of or from its property or income among its members.

SECT. 4. This act shall take effect upon its passage.

BY-LAWS OF THE TRUSTEES OF PUBLIC RESERVATIONS.

ARTICLE I.

OF MEMBERS.

The members of the corporation shall be residents of Massachusetts, and their number shall not exceed fifty.

The Standing Committee may, if it sees fit, nominate persons to membership by inserting the names of candidates upon the notice or warning of any meeting. The election shall take place at any meeting subsequent to such notice, and shall be by ballot upon the names proposed by the Standing Committee; and any person who receives the votes of two-thirds of the members present and voting shall, on his acceptance in writing of his election, be declared and enrolled a member of the corporation. Membership may be terminated by resignation, and shall be terminated by failure for three successive years to attend the annual meeting; but in the latter case the Standing Committee may by vote suspend the operation of this rule when it sees best.

ARTICLE II.

OF FOUNDERS, LIFE ASSOCIATES AND CONTRIBUTORS.

All persons from whom the corporation shall receive real or personal property to the value of one thousand dollars or more shall be permanently enrolled as Founders.

All persons not entitled to be enrolled as Founders, from whom the corporation shall receive real or personal property to the value of one hundred dollars or more, shall be enrolled during life as Life Associates.

All persons, societies, or corporations not entitled to be enrolled as Founders or Life Associates, from whom the corporation shall receive one or more dollars, shall be enrolled as contributors for the year in which payment of such sum is made.

ARTICLE III.

OF MEETINGS.

1. The annual meeting of the corporation shall be held on the last Wednesday in January in Boston or at such other city or town in the Commonwealth, and at such time and place, as the Standing Committee may determine. A quorum for the transaction of business shall consist of not less than seven members, but a majority of the members present and voting may adjourn any meeting from time to time until the business shall have been finished.

In the event of the annual meeting, by mistake or otherwise, not being called and held as herein prescribed, the Standing Committee shall order a special meeting to be called and held in lieu of and for the purposes of the annual meeting.

Special meetings of the corporation may be called by the Standing Committee to meet at any time and place. A quorum at a special meeting shall consist of not less than seven members.

2. At all meetings the President shall take the chair as soon as a quorum is present, and the record of the preceding meeting shall then be read, unless such reading is dispensed with by the unanimous consent of those present. After which at all special meetings the business for which the meeting was called shall be transacted, and at the annual meeting the order of business shall be as follows:—

First.—The unfinished business and the assignments of the last meeting shall be announced by the Secretary to the President, and taken up in order.

Second.—The Secretary shall be called on to submit a written report of the doings of the Standing Committee for the year ending with the previous 31st of December.

Third.—The Treasurer shall be called upon to submit a written report of his doings for the year ending with the previous 31st of December, and the financial condition of the corporation at that date.

Fourth.—The Committee to audit the Treasurer's accounts shall be called on for a report.

Fifth.—Any special committee which may have been appointed during the year shall be called on to report.

Sixth.—If the Standing Committee shall have proposed changes

in the By-laws, the same shall be voted upon, as provided in Article VII.

Seventh.— If the Standing Committee shall have made any nominations to membership in the corporation, an election shall be held as provided in Article I.

Eighth.— An election of officers for the ensuing year shall be held, as provided in Article IV., Section 1.

Ninth.— On the announcement of the vote the newly elected President shall take the chair, and shall give the members present an opportunity to present new business.

Tenth.— The newly elected President shall appoint a committee to audit the Treasurer's accounts.

ARTICLE IV.

OF OFFICERS.

1. The officers of the corporation shall be a President, a Vice-President, a Secretary, and a Treasurer. The Secretary and Treasurer shall be *ex-officiis* members of the Standing Committee, which shall consist of five persons in all. The officers and the Standing Committee shall be chosen by ballot at the annual meeting of the corporation, an adjournment thereof, or at a meeting in lieu of such annual meeting, as above provided; and they shall hold their offices for one year, or until others are duly chosen and qualified in their stead. Any vacancy occurring in any of the above offices from death, resignation, or inability shall be filled by the Standing Committee at their next regular meeting or at a special meeting to be called for the purpose before such regular meeting.

2. The President shall preside at all meetings of the corporation. If he is absent, the Vice-President, and, if the Vice-President is also absent, a President *pro tempore*, chosen by hand vote of the members of the corporation present, shall preside, and shall have all the powers and perform all the duties of the President.

3. The Secretary shall warn the members of all meetings of the corporation, according as he may be directed by votes of the Standing Committee. He shall call the meetings of the Standing Committee as he may be directed by the chairman of the committee or on the request in writing of any two members thereof. He shall carry on all the correspondence of the corporation not otherwise provided for, and shall, when the correspondence is of

importance, preserve copies of the letters sent and the original letters received, for transmission with his records to his successor in office. He shall keep an exact record of all meetings of the corporation and of the Standing Committee, with the names of the members present, entering in full all reports of committees which may be accepted by either body, unless otherwise directed.

At the January meeting of the Standing Committee he shall make a written report of the doings of that body for the year ending on the previous 31st of December; and, if the report is approved, he shall present it at the annual meeting of the corporation.

4. The Treasurer shall, when directed, as provided in the next paragraph, make disbursements; and he shall also collect all moneys due to the corporation, and shall keep regular and faithful accounts of all the moneys and funds of the corporation which shall come into his hands and of all receipts and expenditures connected with the same, which accounts shall always be open to the inspection of members of the corporation. He shall make no investments and pay no moneys without either the approval of a majority of the Standing Committee or else of such officer or committee as said Standing Committee shall appoint to act for it in these matters.

At the January meeting of the Standing Committee he shall make a written report of his doings for the year ending on the previous 31st of December; and, if his report is approved, he shall present it at the annual meeting of the corporation.

ARTICLE V.

OF THE STANDING COMMITTEE.

The Standing Committee shall, at its first meeting after the annual meeting of the corporation in each year, elect a chairman, whose duty it shall be to preside at all meetings of the committee. In his absence a chairman *pro tempore* may be chosen by hand vote.

The Standing Committee shall meet at least once in every month, and a quorum shall consist of not less than three members.

The Standing Committee may nominate or refuse to nominate new members of the corporation, may accept or decline gifts offered to the corporation, may approve or disapprove investments or expenditures proposed by the Treasurer, may approve or disap-

prove all bills against the corporation, may appoint sub-committees of their number, may appoint and remove agents, may engage whatever assistance is needed to administer the affairs of the corporation, may designate such agents and employees by such titles as they may deem proper, and, in general, may exercise all the executive powers of the corporation.

ARTICLE VI.

OF THE SEAL.

The corporate seal shall be a circular, flat-faced die of about an inch and a half in diameter, with the name of the corporation, the year of its organization, the word "Massachusetts," and the figure of a pine-tree so engraved on its face that it can be embossed on paper by pressure.

ARTICLE VII.

OF AMENDMENTS.

At any annual meeting of the corporation, or at a special meeting called for the purpose, these By-laws may be amended, altered, or repealed by a two-thirds vote of the members present and voting, provided that notice of such proposed change shall have been given in the call of the meeting.

REPORT OF THE STANDING COMMITTEE.

*To the Trustees of Public Reservations and their Associates
and Contributors :*

The year 1893 has been one of financial distress and uncertainty, and no new trusts have devolved upon your honorable body. Virginia Wood, in Stoneham, received in trust from Mrs. Fanny Foster Tudor in 1892, has been carefully guarded ; and the beautiful pictures presented by its mingled oaks, pines, and hemlocks, have suffered no injury. One fire which started upon adjacent land was put out before it reached the Wood.

Your committee has kept interested watch of the two projects for the better conservation of certain scenery in behalf of which the members of the committee appeared in support of petitions from your Board before the General Court of 1893.

With respect to the Province Lands at the extremity of Cape Cod, concerning which your committee made a report to the legislature, the General Court enacted a bill which provided for the ultimate acquisition by the townspeople of Provincetown of all the occupied parts of the lands in question, and the permanent reservation of all the remaining portion (some two thousand acres) in the charge of the State Commissioners of Harbors and Lands.

With respect to the project for the acquisition, through the concerted action of numerous municipalities of several large public reserves in the district surrounding Boston, the legislature of 1893 passed an act creating a permanent Metropolitan Park Commission equipped with the power of eminent domain, and with one million dollars to spend in

buying lands. This commission, with the Hon. Charles Francis Adams as its Chairman, is already engaged in securing large forest reservations in the Blue Hills and the Middlesex Fells; and it is understood that a large part of Revere Beach will also be obtained. In addition to its other powers the new commission may accept gifts of land (or money wherewith to purchase or take lands) lying within the limits of the defined metropolitan district, and the sum of twelve thousand five hundred dollars contributed by Mrs. Elisha Atkins and her son, Mr. E. F. Atkins, of Belmont, toward the price of the so-called Beaver Brook reservation, has already been received. This reservation will include not only the falls of Beaver Brook,—celebrated by James Russell Lowell in one of his early poems,—but also the Great Oaks, which, it will be remembered, a friend of your honorable Board endeavored to purchase two years ago for presentation to your Board in trust. The public is to be congratulated in that the Metropolitan Park Commission, through its power of eminent domain, has been able to accomplish that which your honorable Board, lacking that power, could not carry through. It is to be hoped that many citizens of the metropolitan district will imitate the public spirit of Mrs. and Mr. Edwin F. Atkins, and so enable either the local park commissions or the Metropolitan Board to preserve for all time many of the still numerous scenes of natural beauty near Boston.

Within the metropolitan district your offspring, the Metropolitan Park Commission, will henceforth exercise the functions which your honorable body was first designed to exercise throughout the Commonwealth. Outside of the metropolitan district your Board remains the only ready instrument through which the admirers of any beautiful or historical spot, no matter how it may be situated, can provide for its preservation and perpetual care. You are not anxious that trusts should be imposed upon you rather than upon town or city park commissions. To the local park commissions should be given the care of every spot they

will accept. You simply stand in readiness to assume the charge of such places as cannot otherwise be permanently preserved from harm. You are prepared to assume, wherever suitable endowments are forthcoming, the charge of lands lying upon municipal boundaries or in two or more townships; lands too steep for use, but good to look at; strips of land lying between roads or railroads and streams or ponds, and many other sorts of places which local park commissions would not think of accepting. The much-to-be desired permanency of the attractiveness of seaside and inland pleasure resorts, and the perpetuation of the charm of rural neighborhoods, can be assured only by the safe-guarding of the main elements of their attractiveness or charm,—only by the successful conservation of the local scenery of sea-fronts, lakesides, riverbanks, roadsides, ravines and hill-tops. In any given neighborhood such strips and blocks of wild land as most need to be reserved are neither numerous nor expensive. The first cost and the endowment of such reserved lands in many a township of Massachusetts would be well within the means of one generous giver. We commend to the well-to-do people of the State the careful study of their neighborhoods with the idea of making reservations of this particularly valuable kind.

In October your committee was interested to learn of the publication in the English *Spectator* of a letter descriptive of the powers and purposes of the "Massachusetts Trustees of Public Reservations," followed by several letters indicating a desire for the establishment in that country of an organization endowed with powers similar to those with which the General Court of Massachusetts clothed your honorable Board in 1891. We quote a portion of one of these letters as follows:—

The government spends many thousands a year in buying beautiful pictures for the National Gallery. Why should it not also spend a certain sum in buying beautiful views, and so preserving them forever for the enjoyment of the nation? There is certainly nothing chimerical or essentially absurd about the proposal; and a beautiful piece of natural

scenery can often be got for hundreds, while thousands are given for the picture. . . .

But it may be said, What do you mean by buying views? What we mean is either buying the freehold of pieces of beautiful natural scenery in danger of being destroyed by building or some other means, or else the acquisition of such rights over the land in question as will secure the preservation of what is beautiful in it. It is best, however, to say specifically what we should like to see done. Why should not Parliament create a body of trustees like the Trustees of the National Gallery, empowered to protect the natural beauties of the United Kingdom? To this body would be made an annual grant, and it would be the duty of the trustees to lay out their grant to the best possible advantage. They would not, of course, rush about the country, bidding for this or that mountain, lake, river, castle, or waterfall at random; nor would they be given any power of compulsion. They would act simply as the Trustees of the National Gallery act. Whenever a good natural picture came into the market, they would buy it. For example, when Snowdon was up for sale, as it was the other day, the trustees would have made an effort to acquire it for the nation. Indeed, under such circumstances, they would have been justified in going to Parliament for an extra grant, just as the National Gallery went to Parliament when they had an opportunity to get a genuine "Raphael" in good condition. According to a correspondent of the Manchester *Guardian* the waterfall at Lodore is now for sale. There, again, would be an opportunity. To mark out certain areas in the abstract and to buy them compulsorily would be a very expensive business; but, by proceeding as we have suggested, the Trustees of the Natural Gallery might acquire a first-class collection at very reasonable rates.

After suggesting that the proposed trustees should have power to lease upon long terms and possibly to sell the "vesture of the soil," the writer concludes as follows:—

Except in cases like that of Richmond Hill fine scenery goes for extraordinarily low prices. Agriculturally, it is generally poor land,—mountainous and wild and worth little or nothing to the farmer. Hence it need not be supposed that our plan would ruin the treasury. A well-advised Board of Trustees, with £100,000 a year to spend, would soon acquire scenery rights of a kind that would be most beneficial to the public. Meantime there is a chance for the millionaire. While the State is deliberating, let him try the experiment. When a new Mrs. Rylands is wondering how she can best benefit the nation, let her consider the plan of giving it a gallery of natural pictures,—a gallery which can never be destroyed by fire, and containing pictures which never peel and crack.

In December the following paragraph appeared in American newspapers :—

“The National Trust for Places of Historic Interest or Natural Beauty” is an association which has just been organized in England, which has for its object the preservation of places that are of value to the nation on account of their natural beauty, their historic associations, or any other desirable quality. Among the members of the provisional council are the Duke of Westminster, Lord Dufferin, Lord Rosebery, Sir Frederick Leighton, Professor Huxley, the Provost of Eton, the master of Trinity, Mr. Walter Besant, Miss Octavia Hill, and a number of other persons distinguished in art, letters, or practical knowledge of affairs. From time to time philanthropists make over to the nation, or to some particular town or district, bits of property of the kind here described. But the presentation of the gift is not always easy, and sometimes is very troublesome, owing to the difficulty of finding suitable trustees. This new association has been devised to act as general trustee for all property intended for the use and enjoyment of the nation at large. Its function is to accept from private owners of property gifts of places of interest or beauty, which can only be made if a perpetual custodian and administrator can be found. It will be incorporated under the joint stock companies act, and will be endowed with special privileges in consideration of the responsibilities which it assumes.

To this excellent statement of the main purposes of our American as well as the English Board of Trustees your committee need only add the reminder that, if Massachusetts possesses no such richly historical treasures as will gradually pass into the keeping of the English Board, she does possess great wealth of beautiful, though now threatened, natural scenery and an interesting, though rapidly disappearing, store of archæological and historical sites, such as Indian camps and graves, border forts, and colonial or literary landmarks. Your Board is empowered and is fully prepared to assume the legal title, and, if need be, the whole care of such places. It remains for those who really desire the preservation of these places to come forward to their rescue at once.

For the encouragement of givers we take pleasure in printing in Appendix I. a list (unfortunately incomplete) of those who have given lands for public reservations in Massachusetts up to this time. For the information of persons

who may be interested we also print in Appendix II. a table of the contents of the previous reports of your committee, copies of which are to be found in the public libraries of the State. Appendix III. is a report on the public reservations of the shore towns of Massachusetts, compiled by our agent, Mr. H. B. Hastings ; and Appendix IV. presents a summary of the legal rights of the public in the seashores of the State.

The above report is respectfully submitted.

PHILIP A. CHASE,
CHARLES S. SARGENT,
HENRY P. WALCOTT,
GEORGE WIGGLESWORTH,
CHARLES ELIOT,
Standing Committee.

BOSTON, Jan. 1, 1894.

GEORGE WIGGLESWORTH, *Treasurer*, IN ACCOUNT WITH
THE TRUSTEES OF PUBLIC RESERVATIONS.

From Jan. 2, 1893, to Jan. 1, 1894.

Dr.	GENERAL ACCOUNT.	Cr.
1893. Jan. 2. To Balance	\$1,090.72	1893. By Cash : Printing, stamps, etc. . .
Subscriptions during 1893,	50.00	Secretary's expenses . .
Interest received from State St. Safe Deposit & Trust Co. to Jan. 1, 1894	30.14	Balance
	<u>\$1,170.86</u>	<u>\$1,170.86</u>
1894. Jan. 1. To Balance . . .	699.64	

Dr.	AGENT'S ACCOUNT.	Cr.
1893. Jan. 2. To Balance . . .	\$341.67	1893. Aug. 8. By Cash paid H. B. Hastings
	<u>\$341.67</u>	Balance
1894. Jan. 1. To Balance . . .	\$241.67	<u>\$341.67</u>

Dr.	VIRGINIA WOOD FUND.	Cr.
1893. Jan. 2. To Balance	\$122.15	By Cash : Paid for care of Woods for 1892
Interest on \$2,000 Great Northern Railway 4% Gold Bonds . .	80.00	Paid Sheriff for posting notice
	<u>\$202.15</u>	Balance
1894. Jan. 1. To Balance . . .	\$170.15	<u>\$202.15</u>

Dr.	PROVINCE LANDS.	Cr.
1893. Feb. 24. To Cash received from the Commonwealth	\$899.88 <u>\$899.88</u>	1893. Jan. 2. By Balance . . . \$802.83 Cash 97.05 <u>\$899.88</u>

The subscriptions for general purposes have been as follows:—

Louis Robson	\$5.00
Mary Sophia Walker	10.00
Appalachian Mountain Club	25 00
John C. Braman	10.00

The undersigned have examined the accounts and vouchers of the Treasurer of the Trustees of Public Reservations for the year 1893, and find them correctly cast and properly vouched.

CHARLES S. RACKEMANN,

CHRISTOPHER CLARKE,

JAMES S. GRINNELL,

Auditing Committee.

MAY, 1894.

APPENDIX I.

PRELIMINARY LIST OF THE DONORS OF THE PUBLIC RESERVATIONS OF MASSACHUSETTS.

THE ORIGINAL PROPRIETORS OR "COMMONERS" of the following townships (among others) set apart lands for Training Fields which have survived as public reservations unto the present day: Boston, Cambridge, Dighton, Harvard, Hingham, Littleton, Lynn, Manchester, Methuen, Newbury, Pittsfield, Plymouth, Rowley, Salem, Sandisfield, Shrewsbury, Taunton, Wilbraham.

JOHN B. and HATTIE C. NEWHALL, $8\frac{1}{2}$ acres.

AMOS F. BREED, $3\frac{1}{2}$ acres.

HEIRS of PHILIP CHASE, 4 acres.

Dr. EDWARD NEWHALL, 8 acres.

PAMELIA B. MUDGE, 5 acres.

CHARLES F. COFFIN, 18 acres.

JAMES PURINTON, $1\frac{1}{2}$ acres.

TIMOTHY A. NEWHALL, 2 acres.

WILLIAM O. NEWHALL, 7 acres.

DAVID H. SWEETSER, EDWIN WALDEN, LYMAN B. FRAZIER, and AZA A. BREED, 2 acres.

ALVIN R. RICHARDSON, 4 acres.

STEPHEN N. BREED, 8 acres.

EZRA BAKER, 6 acres.

DAVID H. SWEETSER, MARIANNA SWEETSER, and CHARLES S. SWEETSER, $1\frac{1}{4}$ acres.

SAMUEL J. HOLLIS, 7 acres.

PHILIP A. CHASE, wolf pits (A.D. 1635), 3 acres.

AARON and IRVING NEWHALL, 2 acres.

CHARLES S. INGALLS, $5\frac{1}{2}$ acres.

All of the above is in Lynn Woods Reservation.

JAMES R. NEWHALL, Saddler's Rock, 1 acre.

HARRISON and HOWARD M. NEWHALL, Newhall's Cliff, 1 acre.

THOMAS SMITH, 1680, $\frac{3}{4}$ acre to Wenham "for a training-place."

OLIVER CARTER, 1754, 2 acres to Leominster for a training field.

- NEHEMIAH CARPENTER and JEREMIAH HARTSHORN, 1783, 4 acres to Foxboro for a common.
- SAMUEL JONES, 1784, $1\frac{3}{4}$ acres to the Congregational Society for a common.
- HENRY and SARAH TISDALE, 1793, 3 acres to Dover for a common.
- DANIEL JONES, 1800, 1 acre to Bellingham.
- WILLIAM BARTLETT and others, 1800, 6 acres to Newburyport.
- MOSES BROWN, 1810, 1 acre to Newburyport for a public square.
- SETH BANISTER, , 5 acres to Brookfield.
- DANIEL BROWN, $\frac{1}{2}$ acre to Cheshire.
- ESSEX MANUFACTURING COMPANY, 1848-53-73, 34 acres to Lawrence.
- JOSIAH FRENCH, 1857, $5\frac{1}{2}$ acres to Braintree.
- H. W. CUSHMAN, , $2\frac{1}{2}$ acres to Bernardston.
- LOWELL EAMES, 1854, $\frac{1}{8}$ acre to Framingham.
- SIDNEY BROOKS, , $\frac{1}{2}$ acre to Harwich.
- JONATHAN and ELIJAH DWIGHT, , 3 acres to Belchertown.
- GILBERT, , 9 acres to Berkley.
- CAMPFIELD, , 1 acre to Freetown.
- MOSES BATES, 1856, $\frac{1}{8}$ acre to Plymouth.
- SEDGEWICK family, , 8 acres to the Laurel Hill Association of Stockbridge.
- CYRUS W. FIELD, , 2 acres to Stockbridge.
- STIMPSON WOODWARD, 1881, 1 acre (including a spring) to Taunton.
- H. H. HUNNEWELL, , 20 acres to Wellesley.
- NATHANIEL MORTON and others, 1889, 150 acres of woodland to Plymouth.
- GEORGE W. BRAMBALL, 1892, a part of 10 acres to Plymouth.
- CHARLES FRANCIS ADAMS, 1885, 83 acres of bay-shore woodlands to Quincy.
- HENRY H. FAXON, 1885, 28 acres of hill land to Quincy.
- HEIRS of NATHAN TUFTS, , a part of $4\frac{1}{2}$ acres to Somerville, including an ancient powder-house.
- LUTHER HILL, , 25 acres to Spencer.
- EDWARD L. DAVIS and HORACE H. BIGELOW, 1884, 111 acres to Worcester.
- STEPHEN SALISBURY, 1887, 18 acres to Worcester.
- DAVID S. MESSENGER, 1888, $\frac{3}{4}$ acre to Worcester.
- THOMAS H. DODGE, 1890, 13 acres to Worcester.
- EVERETT H. BARNEY, , $104\frac{1}{2}$ acres of woodland and ponds to Springfield.
- MOSES FIELD and ELLA F. ALLEN, , $14\frac{1}{2}$ acres to Springfield.
- THEODORE A. HAVEMEYER, , $3\frac{1}{2}$ acres on the bank of the Connecticut River to Springfield.
- IDA M. SOUTHWORTH, , $6\frac{1}{8}$ acres to Springfield.
- MARVIN CHAPIN, , $10\frac{1}{2}$ acres to Springfield.
- DANIEL J. MARSH, , $1\frac{1}{2}$ acres to Springfield.
- JAMES KIRKHAM, JOHN OLMSTED, JOHN D. MCKNIGHT, WALTER H. WESSEN, , $38\frac{3}{4}$ acres to Springfield.
- ORICK H. GREENLEAF, , $70\frac{1}{2}$ acres to Springfield.
- ANONYMOUS GIVERS, , 51 acres to Springfield.
- HOLYOKE WATER POWER COMPANY, 1861, $2\frac{3}{4}$ acres to Holyoke; 1877, $\frac{1}{4}$ acre to Holyoke; 1884 and 1890, $7\frac{1}{2}$ acres to Holyoke.
- CHARLES H. HUBBARD, 1892, 15 acres to Weston.
- EDGEWORTH COMPANY, 1862, $\frac{1}{2}$ acre to Malden.
- JOHN W. FIELD, , 4 acres to the Trustees of Sanderson Academy for a common playground.

W. A. HOUGHTON, 1882, $\frac{1}{2}$ acre to Berlin to preserve an ancient powder-house.

MUNROE MORSE and SALLY METCALF, 1879, 3 acres to Franklin.

Mrs. WM. MIXTER and others, $\frac{1}{2}$ acre to Hardwick.

HEIRS of HENRY W. LONGFELLOW, 1 acre to the Longfellow Memorial Association for a public garden.

CHARLES RIVER EMBANKMENT COMPANY, 30 acres to Cambridge for a riverside esplanade.

JOHN E. GALE, 1 acre to Haverhill.

SAMUEL WHITE, $\frac{1}{4}$ acre to Haverhill.

ELIZABETH ROGERS, 29 acres to Lowell.

HENRY LEE and others, 7 acres to Manchester for the preservation of the woods along the Essex road.

URIEL CROCKER, $1\frac{1}{2}$ acres to Marblehead, being a commanding rock overlooking the harbor.

J. J. H. GREGORY, 1 acre to Marblehead, being an ancient fort.

D. W. GOOCH, $4\frac{1}{4}$ acres to Melrose.

HEIRS of S. E. SEWALL, 8 acres of woodland to Melrose.

S. A. KEMP, 1880, 8 acres on a hill to North Adams.

ABRAHAM BURBANK, 40 acres to Pittsfield.

J. HENRY STICKNEY, $\frac{1}{5}$ acre to Pilgrim Society, being Pilgrim Wharf so called.

AUGUSTUS HEMENWAY, 40 acres to the Blue Hills Reservation of the Metropolitan Park Commission.

HENRY L. PIERCE, 40 acres to the Blue Hills Reservation of the Metropolitan Park Commission.



APPENDIX II.

FIRST ANNUAL REPORT, 1891.

CONTENTS.

OFFICERS AND MEMBERS OF THE CORPORATION, 1891,	4
REPORT OF THE STANDING COMMITTEE,	5
Sketch of the Origin of the Corporation,	5-11
Summary of the Committee's Doings,	12-18
REPORT OF THE TREASURER,	19-20
APPENDICES:	
I. Agent's Report on the Shore Towns of Massachusetts,	21-62
II. Agent's Report on the Province Lands,	63-68
III. Laws of Massachusetts relating to Public Open Spaces, . .	69-83

SECOND ANNUAL REPORT, 1892.

CONTENTS.

OFFICERS AND MEMBERS OF THE CORPORATION, 1892,	4
FOUNDERS, LIFE ASSOCIATES, AND CONTRIBUTORS, 1892,	5-7
AN ACT TO ESTABLISH THE TRUSTEES OF PUBLIC RESERVATIONS, .	8
BY-LAWS, 1892,	9
REPORT OF THE STANDING COMMITTEE,	14
REPORT OF THE TREASURER,	21

APPENDIX I.

CIRCULARS ISSUED BY THE PRELIMINARY COMMITTEES AND THE TRUSTEES,	27
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APPENDIX II.

STATISTICS OF THE PUBLIC OPEN SPACES OF MASSACHUSETTS, . .	37
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APPENDIX III.

AN ACT FOR THE IMPROVEMENT OF THE LANDS BELONGING TO THE COMMONWEALTH AT PROVINCETOWN, IN THE COUNTY OF BARN- STABLE,	67
REPORT OF THE STANDING COMMITTEE TO THE GENERAL COURT OF 1893 ON THE SUBJECT OF THE PROVINCE LANDS,	69
A DRAFT OF "AN ACT TO PROVIDE FOR THE BETTER MANAGEMENT OF THE PROVINCE LANDS,"	78

ILLUSTRATIONS:—

[After photographs by W. H. SMITH, Provincetown.]

- I. A reedy pond in the wooded region; a grassy sand ridge in the distance.
- II. The edge of the naked sands; wooded ridges in the distance.
- III. A wind cut in a wooded ridge.
- IV. Sand from a wind cut piled on top of trees and bushes.
- V. A sand drift filling a lily pond.
- VI. A part of a ruined ridge; the ocean in the distance.
- VII. View down the slope of a ruined ridge to Race Run; Race Point Light and the Sea.

APPENDIX III.

A REPORT UPON THE EXTENT AND CONDI- TION OF PUBLIC HOLDINGS IN THE SHORE TOWNS OF MASSACHU- SETTS IN 1893.

THE NORTH SHORE.

SALISBURY.

The only public holdings of the town of Salisbury, so far as I could ascertain, are the ferry landing at Ring's Island and a small triangle near the railroad station, which is the last fragment remaining of the old training-field. The greater width of the highway near this triangle serves also as a reminder of vanished possessions. Many years ago one of the abutters planted a row of apple-trees in the training-field. In time, as his fence required repairing, he made the repairs outside of the apple-trees, to which, with the included land, his title is now undisputed.

Both sides of Salisbury beach were dedicated by the early settlers to public use forever ; but for the past hundred years this beach has been held by a body of men called the Commoners of Salisbury. Two or three years ago the town appointed a committee to investigate the title of the Commoners. This committee, at the time of my visit, had not made its report ; but there seemed to be a vague idea among the people of the town that the title of the Commoners had no good foundation. Whatever their title may originally have been based upon, it is certain that it has been recognized since about 1792, and that the Commoners have paid taxes to the town for about the same period. There would seem to be neither law nor justice in an attempt to dispossess them at this late day. The town would, I should think, much better acquire by purchase some rights upon the shore. Probably the

Commoners would find it conducive to their interests, in the long run, to donate to the town a small portion of the beach, and thus decrease the temptation to trespass, which always exists where the public have no place to which they can resort by right.

Salisbury is a quiet little town, with a wide border of marsh land, a background of low hills, and attractive views of river, sea, and woodland. A curious chain bridge, built in 1710, connects it with Newburyport. Two islands in the river might be utilized as places of public resort; but their location would make them more valuable to Newburyport than to Salisbury.

NEWBURYPORT.

Newburyport has a small but fairly satisfactory system of parks, some of which are very attractive. Washington Park (6 acres), Brown Square (1 acre), and Kent Street Common ($2\frac{1}{2}$ acres) remain substantially as described in former reports. There is a prospect that Atkinson Common may soon be improved. As a local organization, the Belleville Improvement Society is trying to awaken public interest in the matter.

There are three public landings,—one, much used by fishermen, at Joppa, and two above the railroad bridge. It is proposed to discontinue one of the latter.

To a visitor it seems rather strange that so little appreciation has been shown of the opportunities which the sea and river afford for health and pleasure. There is, to be sure, a Riverside Park, so called; but it contains only about a quarter of an acre, and is, at present, little more than a dumping-ground.

NEWBURY.

Newbury possesses three public landings,—Thurlow's Bridge Landing, Pine Island, and Old Town Bridge. About half a mile east of the latter is a private landing much used by the townspeople for landing hay; and a petition has been circulated, praying that this be made a public landing.

In a portion of the town known as Byfield the Methodist Church Green answers some of the purposes of a public reservation. Near Byfield factory, one of the earliest factories in America, is a small triangular piece of land containing a band stand. The other holdings, Upper Green, containing a tiny pond, and Lower Green, are as reported last year. Hon. Luther Dame, senator from this district, is endeavoring to have the upper Green improved.

ROWLEY.

Mr. J. Henry Stickney, of Baltimore, to whom the town of Plymouth owes the gift of Pilgrim Wharf, bequeathed to the town of Rowley \$2,000 for the purpose of placing a curb around Rowley Common. The work was done last year at an expense of \$1,199.80. The distance around the common was found to be 1,714 feet, and the area not quite three acres,—a little less than was at first supposed. A row of elms, eight feet inside the curb, adds to the attractiveness of the common, and has formed for many years a valuable barrier against encroachments. In addition to the two smaller commons mentioned in last year's report there is a third small open space near the town hall. All three of these small commons date from the year 1639.

Since the building of the railroad bridge the public landing west of the railroad, on Rowley River, has been of little service. A new private landing and wharf to the east of the bridge has, however, supplied the needs of the people. The reservation for the use of those working on the salt meadow is not called the stock yard, as stated in the last report, but the stack yard, from the stacks of hay sometimes piled there.

IPSWICH.

Ipswich accepted the Park Act some years ago with the intention of securing part of Great Neck for public use; but the opposition of a few influential citizens who feared an increase in their tax bills put a damper on the project, so the only area to which the people have free access is Meeting-house Green in the middle of the town,—a very steep and rocky piece of ground, which is, however, much resorted to in the summer time. It contains perhaps three acres; but the title is in dispute between the church and the town. It is to be hoped that in no case will the people ever be deprived of their privileges there.

The town farm, a tract of about three hundred and fifty acres, has a frontage of perhaps a quarter of a mile on the Rowley River. I was told that formerly Ipswich had considerable public land, but that it had been lost through the indifference—or possibly through the connivance—of town officials years ago. Ipswich is a charming place. Near the centre of the town are some of the most magnificent trees to be seen anywhere. A reservation along the banks of the Ipswich River would add greatly to the attractiveness of

the town ; and that a bit of beach should be secured while it can be bought at a low price, goes without saying.

GLOUCESTER AND ROCKPORT.

Gloucester and Rockport may well be described together, not only because of their situation and their closeness of commercial interests, but because, owing to their having been formerly united, each community has still a claim upon the public landings of the other.

The extent of the fishing industry of Cape Ann early led to the establishment of public landing places. Gloucester, I was told, had once twenty-four public landings, of which less than half now remain. In an inaugural address in 1886 the mayor of Gloucester described eighteen landings, and said :—

“I conclude that some of these landings *cannot now be defined*, that others have been *illegally sold* by the town, that others have been *encroached upon* for a length of time sufficient to give the present occupants a legal claim, and that still others are suffering encroachments which should command our immediate attention.”— *C. Doc. 13.*

What was true in 1886 is to a still greater extent true now. There appear to be to-day only ten landings which clearly belong to the town ; and, of these, several have been encroached upon in the most barefaced manner, notably the Kettle Cove Landing (“No. 18”) at Magnolia. Of this City Engineer Webber said, in 1876,—

“The boundaries of this landing are properly defined, and all persons having encroached thereon are well aware that it is the property of the city.”— *C. Doc. 13.*

In 1885 a similar report was made by City Engineer Overbeck ; but the encroachment continues, the city authorities apparently being afraid to act lest the city should be involved in a lawsuit. The result of this long-continued immunity has emboldened other trespassers ; and last summer a fence was built across the public highway, leading from Western Avenue to the beach, near the Pavilion Hotel. The man who did this made no attempt to show any title to the property. It was simply a barefaced attempt to defraud the people of so much land. After a good deal of indignation on the part of the citizens, and a good deal of hesitation on the part of the authorities, an order was passed to remove this fence. The fence was cut down. No lawsuit followed, and this

outrage will probably not be repeated. One good result of the agitation is that the city may purchase a small plot of land adjoining this highway belonging to the Sidney Mason estate, and thus obtain a more commodious approach to the beach, which at this point is very good.

For many years the people of Gloucester have been accustomed to resort to a place not far from the centre of the town, known as the Stage Fort property, bordering on the shore, and containing the remains of an old fort. Some years ago this property was offered to the city for \$40,000. I have not yet talked with an inhabitant of Gloucester who does not regret that it was not then purchased. Now I am told the city can purchase it for \$80,000; but Gloucester is not wealthy, and even those of its citizens who are in favor of increasing the public holdings seem to think the city cannot afford such valuable residence property. I cannot share this opinion. To me it seems that the wisest economy would dictate the purchase of this land for the public.

There are one or two bits of land belonging to the city which were not mentioned in the last report. One of these lies on the shore near the junction of Western and Essex Avenues. It is the merest fragment of land, and is included in the highway, though separated by a wall from the travelled portion. It affords a fine view of the harbor, and is literally covered with settees. The other reservation is on the top of Governor's Hill, near the railroad station. A small portion of this summit was for some time owned by the city. Recently two other lots have been purchased, so that there is now a total open area of 45,815 square feet. The steep and rocky hillside furnishes a fine outlook, and is evidently much resorted to. It is well provided with settees.

About ten years ago Mr. Isaac Morse gave to the city a well on Western Avenue, on the road to Magnolia, for a public watering place. I could not learn that the city assumes any responsibility for the care of this well.

There is one other neglected space north of the city, called Meeting-house Green, containing about an acre and a half. It is at the corner of Washington and Poplar Streets.

The public landings of the city are in a very unsatisfactory condition. The present city engineer has been directed to mark these landings by proper bounds; but no money is granted for the necessary expense, and so nothing has been done. More courage and firmness than seem thus far to have been manifested need to be exercised with regard to trespassers.

In Rockport the condition of the landings is not dissimilar to that in Gloucester. The town has a large number of landings, supposed to be owned in common with Gloucester. The majority of these landings seem to be encroached on or claimed by individuals. One at Long Beach has been "gobbled," I was told, by the Land's End Associates. But this landing is perfectly well described in the plans in the town records which Mr. Calvin Pool, the town clerk, showed me. The Land Company is comparatively young, and cannot yet have obtained a title by undisturbed occupancy. The town should not allow a title thus to be obtained. The only landing I found, which is quite undisputed, is the so-called Back Beach Landing. Here for several hundred feet the road skirts the shore, and the town is the only abutter. There is a good beach with a good view; and, as it is less than five minutes' walk from the business centre, it is likely at some time to be much resorted to. A school-house lot, much reduced in size since 1838, extends along the western side of the road. At one end of the beach has been built an unsightly shanty, which should not be allowed to remain. Cape Pond, in the interior, has been spoken of as a possible source of water supply, in which case it might serve some park purposes. It is already used to some extent by picnic parties.

The rights of Rockport along the shore are still fairly extensive; but, unless the town shows more energy and vigilance, she is likely some day to mourn the loss of them.

Within a few minutes' walk of the centre of population is a tract of land called Norwood's Head. It contains about fourteen acres, is high, breezy, and affords many attractive views of sea and shore. The town would do well to acquire this property at once for future use.

MANCHESTER, BEVERLY, SALEM.

Manchester, Beverly, and Salem were so fully described in the first report of the society that it was not thought necessary at this time to visit them.

MARBLEHEAD.

Marblehead has a number of small breathing-spaces, nearly all well located and attractive. Its Park Commission is alive to the needs of the town, and is disposed to make improvements as

rapidly as possible, but is greatly hampered by lack of money, and by failure on the part of some of the old residents to see any need for the work.

In addition to the holdings mentioned in last year's report, the town has a narrow strip of land running from Atlantic Avenue toward the harbor. The park commissioners have petitioned the town for permission to take the point known as Mason's Rocks, and to add to Crocker Park a small lot of land joining it on the north. The total area asked for is less than an acre, but it would add very much to the value of the park system.

Fort Sewell, loaned by the government for park purposes, has been much abused. The town improvement society has planted shade-trees within the fort; but some of them are dead, and the others look discouraged. At the time of my visit a crowd of half-grown young men were playing ball inside the small enclosure of the fort. The grounds are entirely unsuited to such play; and the result is to dissatisfy the players, and make the fort unsafe for children. While I was examining the place, the crowd of young men stopped their game and endeavored to smash the shutters of the fort, despite the protest of one of their number. I could easily see why the shade-trees thrive no better. It is a misfortune to any town that such hoodlums should represent it in public places. It must have a depressing effect on real estate values.

On the hill-top known as Fountain Park a neat shelter has been built, affording a pleasant view of the harbor and protection against passing showers.

A "West Side Boulevard" has been talked of, to skirt the western shore of the town from Peach's Point to the Salem line. It is believed that the increase in value of the land thus opened up for summer residences would more than repay the expense. For such a boulevard to have its full effect in developing the property, restrictions should be made against the erection of buildings between the boulevard and the water.

On Marblehead Neck is a somewhat unusual condition of affairs. Not many years ago one man owned the whole Neck. In laying out lots for sale, he reserved strips of shore, not for the public, but for the use of the lot-owners. No public roads were ever laid out, so even the streets belong to the former owner of the Neck, Mr. Robert C. Bridges, and are kept in repair by him. The town owns the highway across the isthmus connecting the

Neck with the mainland. It owns also the beach along this highway and a small triangle at the fork of the road. With this triangle, apparently, the rights of the public end. The Neck appears to be practically a private park, across the entrance to which gates might be swung at any moment at the will of the proprietors. No attempt is made to exclude any one, and the public go there freely. "But," says Mr. Bridges, "there's no knowing how much longer they will be allowed to."

SWAMPSCOTT.

It is not quite fair to say of Swampscott, as was said in the last report,—

"It has no public spaces, not even a foot of land (save in the street) where a visitor may stand at high tide and look out upon the ocean."

Swampscott has had for some years around the soldiers' monument a little triangle of green from which the visitor might view the ocean, though it was not, of course, intended for that purpose. There is also, a few rods to the north-east of this monument, a triangular bit of ground between the beach and the highway which, I was told, belonged to the town. This bit of land is rocky, and has a path leading down to the water. There are several short roads which lead to the water's edge. Moreover, the highway in Swampscott follows the beaches pretty closely, and one could hardly ask better views of the ocean than are afforded by a walk along this road. Still, Swampscott has no place of public resort at all commensurate with her opportunities and her wealth; and there is cause for rejoicing in the fact that she has finally begun to be conscious of her shortcomings, and is setting to work to remedy them. The town last spring (1893) accepted the Park Act, and now proposes to acquire a tract of land along the shore adjacent to a similar tract already owned by the city of Lynn. The unsightly buildings on the beach at this point are to be removed, and the two pieces of land combined into a pretty ocean-side park for people of both communities.

Since the acceptance of the Park Act Messrs. D. K. and Leonard Phillips have given to the town, for a school-house, a lot of land containing about two acres situated on Cannon Hill. It is about one hundred and sixty feet above sea-level, with a fine view of the ocean, and could, without much difficulty, be connected with the beach, and thus made part of a very attractive park system.

THE SOUTH SHORE.

COHASSET.

In addition to the common, containing a church built in 1747, Cohasset has two small triangular pieces of land which are pretty well cared for. One, near the "Cove," contains about twenty-five hundred square feet: the other, called Church Park, contains perhaps two thousand square feet.

At the "Cove" a little strip of shore about two hundred feet long is used as a landing-place. There was at one time some talk of purchasing for the town a part of Sandy Beach, and a committee was appointed to consider the matter; but no report was ever made. It seems a pity that a more enthusiastic committee could not have been chosen.

One end of the common has been fenced and planted by Mr. Bates with the permission of the town. It cannot be denied that the planting has been very judiciously done, and the effect is decidedly pleasing; but it would seem to be better policy for the town to plant its own public grounds and build its own fences around them. The effect of the fence and of the planting is to make that part of the common look like a private holding.

SCITUATE.

I was told that there had been no change of importance in Scituate since the issue of the first report.

MARSHFIELD.

About all there is left of Marshfield Common, or training-field, is a little fenced triangle, with some fine trees, between Marshfield post-office and the railroad station. Across the road from this triangle is another small fragment, partly occupied by sheds. The total area may be an acre. There are no public landings, and there is no desire for any, so I was told by the town clerk, Mr. L. P. Hatch.

DUXBURY.

Duxbury has no common, but has several public landings. Formerly the town owned the fine beach to the east of Powder

Point, but this has been sold to a Mr. Wright, who has laid it out in house lots, with a public road on the inside above high-water mark. This arrangement leaves nearly three miles of water open to the public ; for, although the abutters, I suppose, retain the title to this back beach, the people have a right of way along it.

The town elected last year a committee (which at the time of my visit had made no report) to look up the matter of public landings. A landing has been recently laid out north of the new bridge from Powder Point to the beach. Another town landing is located at the point where the Atlantic cable crosses the Back River ; but, from the wording of a sign erected there, I judge that this landing is claimed by Mr. Wright.

In 1890 the village improvement association, called the "Duxbury Rural Society," gave a drinking fountain to the town. Just south of the Bluefish River, and east of the road crossing it, is a lot of land containing about two thousand square feet, formerly occupied by a mill. When the bridge was built across the river, this place was bought, in order to avoid claims for damages. It is held by the town for no particular purpose, and might perhaps be given to the Rural Society for improvement.

In case the Atlantic cable station here should be abandoned, it is provided that that portion of the beach now in use by the cable company shall revert to the town.

Duxbury is a pleasant, restful town, with good educational advantages, and might easily be made very attractive to people of wealth and culture.

PLYMOUTH.

Plymouth has at present the best system of parks south of Boston. It can hardly be called the outgrowth of a popular movement, however, and there is still a good deal of indifference manifested by the townspeople to the benefits of this sort of public holdings. Like most Massachusetts towns, Plymouth has had for many years its common, or training-field ; but only since the gift of Mr. Morton and others in 1889 has the town had anything that could be properly called a park. Morton Park lies on the shore of Billington Sea, a large pond about a mile from the business centre of the town, and contains about one hundred and fifty acres, not including the large water surface of Billington Sea and Little Pond, though the park nearly surrounds the latter.

The surface is pleasantly diversified, and by judicious planting and trimming is becoming each year more beautiful.

Mr. Morton long meditated his project of a free public park at Billington Sea, but nearly ten years passed before he saw his way clear to the accomplishment of his design. When at last he began to negotiate for the land, he found that the principal owner, an aged man, had had for years the same desire, but, owing to age and infirmity, had seen no way to fulfil it. He gladly co-operated with Mr. Morton, thankful that his own hopes had so fair a prospect of realization.

Of course, in a town where until recently land has been assessed at twenty-five cents per acre, no great necessity can have been recognized for "breathing-spaces." Hence many of the townspeople fail to see the use of a park. The chief difficulty encountered by Mr. Morton and his associates is the failure of the voters to see any beauty in such common objects as woods and ponds. Yet the park is having an educative effect, and Mr. Morton's tact and disinterestedness, and the efforts of other public-spirited men, overcome this indifference sufficiently to secure for the maintenance of parks an average annual appropriation of about \$1,000. I doubt if another town in the country gets so much for the money.

After Morton Park, by far the most important possession of Plymouth (except from an historical point of view) is Beach Park, a strip of shore containing about ten acres, situated at the south end of Long Beach, two miles from the village, and readily accessible by street car. This beach had been partially occupied by squatters; but they were induced to part with their claims for nominal sums, and the whole cost to the town of this beach, fourteen hundred feet long, was only \$150, which was paid to reimburse the former occupants for the loss of their buildings. One of the buildings has been kept by the Park Commission, and is utilized as a waiting-room and a shelter from storms.

The other public holdings of the town remain substantially as described in former reports. Burton Park (1 1-2 acres) is a good example of what may be done with unpromising material. Formerly it was an unsightly hillside in which deep gulleys had been washed out by the rains. It has now been covered with grass, and at slight expense made to look respectable. The chief value of the place in its present condition lies in the fact that it permits to the passer-by, or to the children attending the neighboring

school, a clear view of the harbor. There are few towns in the State that have not some unsightly banks that might be treated in a similar, inexpensive way.

Bates Park is a little reservation of about one-third of an acre, which has been planted with trees and provided with a few seats.

The Town Dock, Cole's Hill, and Pilgrim Wharf have been referred to in previous reports. Mr. Stickney, of Baltimore, mentioned in last year's report, bequeathed \$2,000 to the town of Rowley for the improvement of the common. I was told, too, that he gave a large part of the money for the purchase of Cole's Hill.

About three miles south of Plymouth village, on the road to Sandwich, there is a duck mill, in front of which is a semi-public green, fairly well kept, and planted with trees, which furnishes to the operatives a place of resort similar to some of the corporation grounds of Lowell and Lawrence.

A great deal of land around the Plymouth ponds is being bought up for summer houses. Until within a year or two the purchases have been mainly by Plymouth people; but now outsiders are coming in, especially such as wish to be for a time beyond the intrusion of the telegraph, and yet within easy reach of civilization.

Mr. John J. Russell, of Plymouth, is much interested in the preservation of strips of woods along the roadsides. In a region so sandy as Plymouth such protection is essential to keep the roads passable in dry weather, unless the roads should be of much better construction than any I saw.

BOURNE, SANDWICH, AND MASHPEE.

Concerning Bourne, Sandwich, and Mashpee there is little to add to former reports. The ponds of Sandwich and Mashpee attract people who seek rest and quiet, and the shores of Bourne are thickly dotted with summer cottages. Many of the townspeople appear not to realize that there is danger of their being shut off from the shore. Indeed, all along the South Shore, save in two or three localities, there is such indifference manifested regarding shore rights that one is almost inclined to believe it were better for the control to pass from the present holders to those who will appreciate it more. The chief regret that mingles with the prospect is that the new owners are disposed to insist so strictly on their legal rights. The average city man, who has

owned little or no land at home, seems to take a particular delight in putting up trespass signs the moment he gets the deed to his new estate. One gentleman told me he should like to own a certain place much resorted to, in order, he added, half seriously, that he might put up a notice warning people away.

FALMOUTH.

Owing to the facilities for reaching Falmouth, and to other advantages possessed by the town, practically no land upon the coast remains unoccupied; and except for the landings there are no public holdings upon the shore.

Near the railroad station at Falmouth is a pretty little common containing about an acre. This is all that remains of a much larger tract, once set apart for a training-field and meeting-house lot.

At Woods Holl is a landing containing about thirty-seven hundred square feet. Another landing, somewhat larger, is situated north of the Fish Commission Building. South of Falmouth village is another landing about one hundred feet square, and at West Falmouth is one with a shore frontage of perhaps two hundred feet. The town owns a farm of fifteen or twenty acres just north of Falmouth Heights, and a gravel pit not far from Long Pond containing about an acre.

At Falmouth Heights is a collection of summer cottages grouped around a number of semi-public spaces. Here, too, for some distance the road skirts the beach; but I was told that the public have no rights upon the shore. The unoccupied land along the entire coast of Falmouth is held for speculative purposes.

A local society, the Bathing Beach Association (Mr. Hewins, treasurer), holds five hundred and fifty feet of beach on Vineyard Sound, south of the village. The association consists of twenty-five members, each of whom subscribed to the purchase of the beach, and each of whom received for his subscription a deed for a lot ten feet wide. The remainder of the beach, three hundred feet, belongs to the Bathing Beach Association as a whole, but is regarded as public property, although as yet no use has been made of it. It is the only beach, properly so called, to which the public has access. The constitution of the Beach Association provides that, in case of the dissolution of the association, all its property shall go to the town.

BARNSTABLE.

On the north shore of Barnstable a long peninsula extends eastward, protecting and nearly enclosing the harbor. This peninsula appears to be one of the few extensive beaches which, it seems, it is still possible to preserve to the public. Upon information furnished by Mr. G. A. Hinckley I made search in the town records, and found the following record in regard to this peninsula, which I have transcribed with slight omissions. The Italics are my own :—

March 20, 1731-2. Voted as followeth, viz., that .

“Whereas for some years together sundry persons turned horses and neat cattle at large to run and feed upon the Beach or Neck called Sandy Neck *belonging to this town* (Part whereof being Laid out in Lots, and part Laid down & Long since sequestered to the publick use of Sd. Town, principally to accomodate the whaling designs) the turning and feeding of horses and cattle on Sd. Neck as afor sd. was found to be very prejudicial to the Town by the Beech grass being fed short and the Land Trod Loose & thereby blown in upon some pasture Lands, and great parcels of the best meddow in Town & into the harbour . . . and there is great danger that the sd. Beech will be so much lowered that the sea will in some years break in upon the Town over sd. Beech (the only Barrier on that side) beside the great danger of filling up or Ruining the harbour the sd. Beech making one side thereof, for prevention of which Damages the Town passed a vote some years since forbidding horses and cattle feeding at Large on sd. Neck as afore sd. for some considerable time . . . which by Experience was found very beneficial for the ends aforesd. . . .

“Voted that for one year to come that no horses or cattle be allowed to go at large and feed on sd. Neck.” . . .

Year after year I found this vote repeated in varying phraseology, but with unvarying meaning. Men were elected annually to see that cattle were kept off the beach, and the ownership of the town to the beach was constantly affirmed. As indicated in the preamble to the above vote, lots had been assigned upon Sandy Neck to citizens, and lots were subsequently granted to others; but in no single instance was I able to find that any lot had ever been granted running to the northern shore. The water was commonly named as the southern boundary, but never as the northern. The invariable record (so far as I was able to trace it, for some of the records were away being indexed) was that the lots were bounded on the north not by the sea, but by the hills, and the houses on the Neck which one sees from the village of Barnstable are built, in accordance with the terms of these grants, on the inner shore of the Neck. So, unless the title of the town has been impaired

in recent years, there would seem to be no possible doubt as to the public ownership of this shore.

Several years ago a Mr. Cobb bequeathed to the town \$10,000 in money and a number of pieces of land known as the "Cobb woodlots." They are located near Israel's and Upper Gate Ponds, and contain altogether about ninety-three acres.

Barnstable covers so much territory and contains scenery so widely differing in character that it is difficult to give any brief and accurate description of the town. The different villages — Barnstable, Craigville, Centreville, Hyannis, Hyannisport, Osterville, and Cotuit — all have charms of their own. Those on the south side of the cape have most of the summer resort character. At Hyannis land speculation has been active. There is a small reserve here called "Park Square," which once contained a band stand, and is believed to belong to the town; but no one seems to know anything about it. At the turn of the road between Hyannis and Craigville is a neatly planted piece of ground which is cared for by private enterprise. A little of this sort of work adds greatly to the attractiveness of a town. There is a soldiers' monument at Centreville, with a small triangle around it planted rather thickly with trees and shrubs.

There are believed to be five public landings; but of these only two — one at Cotuit and one at East Bay, Osterville — are known to belong to the town.

The Common Fields, marked on some maps, are common in name only. They are located near Blish Point, on the north side of the town. There was once a public landing here for steamers, but it is now a private holding.

YARMOUTH.

The assertion that the town landing on Bass River was sold seems to be an error. The town pound on this river was sold, but two roads leading to the river afford small landing-places. Another road runs to the water's edge at Power's Neck (called Parker's Neck on the State map), and affords a landing-place.

On the western bank of Bass River, at its mouth, summer visitors have bought land, and claim the beach. This is the only good bathing beach within easy reach of the village, and Mr. H. G. Crowell thinks it should be owned by the town.

DENNIS.

There seems to be some doubt in Dennis as to the town's title

to the "Old Whaling Ground." It is a valuable possession, and should not be lightly lost.

The town owns one landing of about forty feet on Bass River, at the point where the river, after running for some distance south-east, turns south-west to reach the sea.

HARWICH.

Harwich has a town farm of about five acres and a landing at Round Cove, East Harwich, with a frontage of nine rods on the water. The town has no rights to the shores of Herring River except by prescription; but the herring committee, I was told, have the right to land fish at any point. There are said to be two or three roads running to the water's edge, and hence affording small landing-places.

At Harwichport there is a little cluster of summer houses called Wychmere; and on the side of the cove opposite these is a piece of land sloping down to the sea, which would make a beautiful common. It would seem that the summer residents of Wychmere should be interested in this.

CHATHAM.

Aside from landing-places the only public ground in Chatham seems to be a small triangle upon which the soldiers' monument is built. The title to this is not perfect; but, in view of its small value and of the use made of it, the question of ownership will probably never be raised.

On the west side of Stage Harbor, or Port Fortune, as it was called by Champlain, are two landings connected by a highway which runs along the shore. The whole of the shore between the two landings is commonly considered public. Another landing at the end of a road on the east side of the harbor is believed to belong to the town. There are three other landings at the ends of roads running to the shore of the cove just north of Chatham Harbor, but only the northernmost of these is known to belong to the town.

Chatham has such an abundance of seashore, perhaps forty miles or more, that there has been thus far no pressure upon it, and probably will not be for some years to come. Yet it would seem the part of wisdom to reserve for the public some of the beaches while they may yet be had for little or nothing. Nauset

Beach, for instance, seems to belong to no one. It would probably cost nothing but a vote in town meeting to acquire it for public use forever. A large part of Monomoy Island was ceded to the United States for a life-saving station. That part of the island north of the life-saving station probably belongs to the town. The burning of the town records in 1827 has given rise to much uncertainty with regard to lands deemed of little value. The by-roads of Chatham are very poor.

BREWSTER.

Brewster is a pleasant little town, with some rather large ponds and numerous hills. There is a pretty Parish Green, and a town landing about two hundred feet long, mentioned in previous reports, from which a line of packets used to sail to Boston.

There are four other landings on Cape Cod Bay at the ends of roads which are believed to belong to the town. The town owns also about three-fourths of an acre around the new town hall and a farm of about ten acres lying near the railroad between Brewster and East Brewster.

ORLEANS.

Orleans has no holdings for public resort, but is pretty well provided with landings. On the west side of the Cape, near Rock Creek, there are two; on Town Cove there are two (one laid out in 1887, the other in 1891); in Nauset Harbor are two (one having been laid out in 1892); and on Pleasant Bay there are three more,—making nine altogether.

Pleasant Bay deserves its name, but is difficult of access, owing to the wretched roads. In Chatham, as in Orleans, Nauset Beach is said to belong to no one. It should be made a public reserve, and probably nothing but a vote of the town would be necessary to bring this about.

WAREHAM.

The only public holding in Wareham is the poor-farm. The area near the church at Wareham Centre, mentioned in Mr. Harrison's first report, is still unimproved. It belonged formerly to the grandmother of the present town clerk, Mr. Fearing. She was an invalid; and, being unable to attend church, she had this area kept clear, in order that she might see the church from her window, and watch the people as they passed in and out. The

present holder insists that, as he has paid taxes for many years on the land, there is no justice in claiming it for the public. Apparently, it is not so much the value of the land as the principle involved that actuates him. If the matter were put in the proper light, he might be found willing to *give* what he refuses to surrender.

Mr. Fearing suggests the purchase by the town of Cromesit Neck. There is said to be good "clamming" there, and it would make a desirable public picnic ground. It is believed the present owners would sell it to the town at a moderate price; and, if the experience of other towns is anything to go by, Wareham should acquire her public ground at once. I have hardly ever been in a town of more beautiful scenery. The irregular coast line opens up a succession of charming views in almost every direction. At Onset Bay in particular every prospect pleases. The camp-ground at Onset, however, is not very judiciously arranged. The lots are small, the houses crowded; and, although some 'semi-public reservations exist, there is no surety that these will not be sold if the demand shall be sufficient.

MARION.

There are a number of pleasant pine groves in Marion, but the sea views seemed to me inferior to those of the towns on either side. There are no public landings, and there is apparently no desire on the part of the inhabitants to acquire any. Indeed, if I am to trust the impressions I received from conversation with citizens and a town official, I should say the people would much prefer trespassing on the land of others to having any public right upon the shore.

I was told that one man owns fifteen hundred acres of land and nearly seven miles of the Marion shore.

MATTAPOISETT.

The name Mattapoisett is said to signify "Place of Rest," and the town seems not to belie its name. It is a pleasant, quiet place, with good beaches, and many other attractions.

The town owns a very neatly kept bathing beach, about a hundred feet square, near the centre of the village. Some of the bath-houses are free. Others are rented for exclusive use of the lessees at \$3 a year. All are clean and neatly painted. There is another

so-called bathing beach a few hundred feet to the west of this ; but it is at present a mere stone heap, piled with more or less rubbish. The town refused at one time to sell this lot to a Boston gentleman ; and now some of the voters regret the refusal, thinking, doubtless, how much more attractive the house might have been than the present unsightly stone heap. But, if it were to be made as attractive as the other bathing beach, I doubt not that the people would be reconciled to the loss of the house.

Half a mile further west is another shore lot to which the town has a claim. A Mr. Hammond agreed to give to the town a lot one hundred feet square on the shore, provided a road were laid out from the highway to the shore. The road has been partially laid out, and a bond has been given for a deed to the land ; but the railroad company objects to the grade crossing, and a Mr. King, one of the summer residents who owns land here, also objects.

The town owns a farm of about two hundred acres, bordering for about half a mile on Ancoot Cove. It is not, however, likely to be of use for park purposes.

NEW BEDFORD AND FAIRHAVEN.

In New Bedford I was told that the great resort of New Bedford people was Fort Phoenix at Fairhaven. In Fairhaven they told me that the New Bedford users of their bathing beach were to the home patrons as five to one. This, of course, was partly because the people of New Bedford had no adequate place of resort in their own town, but also because of the nearness of the two towns, and because of the many ties that unite them. From all points of view, except the political, they are one community.

When the last report of the Trustees was issued, New Bedford was nearly at the bottom of the list of Massachusetts cities, so far as regards public open spaces. Since then she has made large purchases of land for park purposes ; and at the time of my visit a slight reaction seemed to have set in, which resulted in a waiting policy on the part of the city government. Perhaps too much was attempted at the start. A starving man must be fed judiciously, and New Bedford had been long deprived of this kind of food. However, the city has since elected for mayor a gentleman who was prominent in the park movement ; and I judge that the halt in the work was merely the prelude to an increased activity, and

that New Bedford will before long have as good reason to be proud of her park system as she had formerly to be ashamed of it.

The most important of the purchases are the Herman place, so called, the Martha Spooner estate adjoining, and the John Green estate. The two former, containing together ninety-one acres, were purchased in 1893, at a cost of \$30,000. At the time of the purchase Mr. George F. Bartlett, of the Board of Public Works, offered to the city at cost another estate that would have carried the park to the river. It seems a pity that this offer was refused; but, doubtless, all was done that the state of public sentiment warranted.

The Herman estate had been the property of a gentleman of wealth and taste, and was improved to such an extent that little needed to be done to make it of immediate service.

The Spooner estate is simply a farm with some woodland, having no apparent connection with the other part of the park. The two estates will no doubt be so treated as to make them a unit. I heard no one object to this purchase, doubtless because it is readily accessible by street-cars, and because a part of it, at least, was immediately available for public enjoyment. At the time of my visit seventy-five happy children were playing about.

The John Green estate, west of the city, has been the subject of some criticism because of its unpromising appearance. It is swampy in one place, is wild, and is not at present so readily accessible as some of the other resorts; but I have no doubt that in ten years the city will consider itself fortunate in this possession.

A lot containing about an acre, bounded by South Water, River, and Blackmer Streets, has been reserved for a playground. It was badly needed, and is much used; but it is a disheartening sight at present. A few discouraged-looking men were lounging about, and many dirty children were playing there. Waste paper and rubbish covered the ground. Tenement houses on every side, a liquor saloon, and a police station in suggestive proximity,—“Everything handy,” as the gentleman with me remarked. The strip between the water and the highway at the head of Clark’s Cove belongs to the city. Part of it is the gift of the Howland Mills, a corporation that has done much for its employees, and has given to the city several small pieces of land after having first improved them. The city sewer empties into the sea at this point, which, from an æsthetic point of view,

is unfortunate. The highway just mentioned leads into an eighty-foot driveway which runs all around Clark's Point close to the water. In no case is the strip of land between the road and the water sufficiently wide for a house lot. Only cheap restaurants and cigar shops could find room there. It would be a great misfortune if buildings of such a character should get a foothold on the shore; and I think the city could do no better than to act on a suggestion of Mr. A. B. Drake, Superintendent of Public Works, and widen the highway on the ocean side so as to include everything to the water's edge, as was done at Nahant some years ago.

About sixty acres at the southern end of Clark's Point belong to the United States government, and through the efforts of Hon. Charles S. Randall have been loaned to the city for park purposes. A fort and a light-house occupy a portion of the property. A little to the north of the government property the city owns a farm; and the suggestion has been made that the city acquire the strip between the farm and the fort, and throw the whole tract into one, thus obtaining a park of about two hundred acres for a cash outlay equivalent to the cost of the intermediate strip, or about sixty acres. If this is not done, it is probable that the town farm may be sold before long for house lots, as it is considered rather too valuable for its present use.

The area of the old common has been somewhat reduced by cutting a street across it. It is pretty well cared for, and is well shaded. A small area around the city hall is provided with seats, and is much resorted to. Another small area lies between Hickory, Ward, and Clay Streets. It contains about twenty rods, and was given to the city on condition that a certain road be laid out. It is not attractive in its present condition.

On the other side of the river, in Fairhaven, is Fort Phoenix, a mile nearer the city than Clark's Point, and readily reached by street-cars. On a warm day the cars running over the long, crooked bridge are crowded with New Bedford people going to the fort. The Fairhaven improvement society seems to be particularly energetic. It raised last year \$1,300, of which \$675 was for the purchase of the old guns of the fort. Of the latter sum a large part was contributed by Mr. Warren Delano, a gentleman of Newburg, N.Y., who makes Fairhaven his summer home. This society controls a bathing beach about two hundred feet in length which it has the privilege of buying at any time for a fixed price.

In the mean time it pays interest on this price. There are one hundred bathing-houses. Ten cents is charged for the use of a house, and ten cents additional for a bathing suit. The number of bathers increased from 1,049 in 1884 to 8,394 in 1892,—about five thousand in the latter year being from New Bedford. The profits of the society are expended in improvements.

I was told that the old Indian burial-ground, on Sconticut Neck, is held by the State. A driveway around the Neck has been proposed as a means of developing the region. The Rogers family have done much for Fairhaven.

If I were to venture a suggestion as to the park systems of New Bedford and Fairhaven, it would be that they should be developed in common. In New Bedford the duties of a park commission are assumed by the Board of Public Works, of which, I was told, the mayor and the president of the Common Council are *ex-officio* members. Since these officers are usually changed each year, it is evident that a consistent policy in regard to the parks is next to impossible. It seems to me that it would be well for both New Bedford and Fairhaven to appoint park commissions, the members of which should consult each other, and act in harmony.

New Bedford has made such large purchases of land that it may not be wise at present to acquire more. Yet to a visitor it seems a little strange that, except for the government property at Clark's Point (which cost the city nothing), there is no recognition of the chief claim of the city to distinction. There is nothing in the park system to suggest that the city is famed the world over for its seamen and its fisheries. There is not a foot of shore open to the public save where the United States government owns and where the city sewer empties. To me this seems a serious defect, and one which should be remedied. One way of doing this would be to widen the long bridge crossing the river, as suggested by Mr. Harrison in his first report. This can be done at any time, and will doubtless be required before long by the increasing traffic; but the measures which commend themselves most to me are the following, suggested by people of both communities: first, the immediate acquisition of the strip of land between the water and the driveway around Clark's Point; second, the purchase of an island in the river. Midway between the two towns, and forming a pier for the long bridge connecting them, is Pope's Island, which seems as if made expressly as a resting-place for the people. Here tired workers could come and breathe the air of the sea.

Children could play here to their hearts' content ; and there are many children in New Bedford. The island is now partially built upon, but the city could better afford to pay a large price than to lose this opportunity.

I have spoken of the playground on South Water Street. There are large factories in New Bedford, and in consequence there is a large and crowded tenement-house region. The city has grown rapidly in recent years, and, as a result, there is a pitiful lack of places for children to play. The parks at present projected will be a credit to the city and worth all they cost ; but the children need playgrounds near at hand. Such playgrounds need not be large. Willis Point, which runs out into the river near the Wamsutta Mills, would make a good one if it could be had at a reasonable price. Half a hundred people were enjoying themselves there on the forenoon that I visited it. "You ought to see it Saturday night !" said a lad to whom I spoke about the matter.

Palmer's Island in the river is a popular resort, and is said to be well managed by the present proprietor. It would be an admirable addition to the park system, but would not be indispensable if Pope's Island were secured.

The roads in New Bedford seemed to me considerably above the average in the State.

DARTMOUTH.

Dartmouth has five public landings. One rather large one, containing an acre and a half, is at Apponogansett. There is one on either side of the east end of the bridge at South Dartmouth, there is a small one at Little River, and one to the north of Slocum's Neck. There is no common. Potter's Grove, an agreeable bit of pine woods, much resorted to by New Bedford people for clam-bakes, is a private holding ; but individuals and *small* parties are permitted to use it free of charge.

At Nonquitt several semi-public spaces called parks are reserved by the Land Company. One of these includes a small lily pond. The views are attractive ; but there are no trees, and the land is pretty rough. It has been suggested that a boulevard be constructed from Nonquitt to New Bedford. If this should be done, the acquisition of the narrow strip extending southward from South Dartmouth Bridge, between the road and the water, would be desirable.

WESTPORT.

The town of Westport is one of the few in the State that have pursued a generally intelligent policy with reference to their public landings. It is a very large and loosely connected town. There are six landings in charge of landing commissioners. At the head of the river are landings on both sides of the stream, containing about two acres. Part of this is leased for building purposes, and the income serves to maintain the landings in good condition. It has been proposed to lay out part of this as a little park with a band stand. The young men of the town have organized a band, and the concerts which they might give would not interfere with the use of the landing, and might be a pleasing addition to the life of the town.

There are landings on both sides of the bridge at South Westport; but that on the north side is little used, and is now occupied by the house of a man who pays no rent. There is also a small landing on the inside of the Horseneck Beach, which is very much used. On the outside of the beach is a town landing and watering-place, originally laid out Dec. 13, 1717, eighty-two rods long. In 1851 it was relocated, and stone boundaries were established. It runs from the Dartmouth line westward seventy-eight rods, and comprises a good beach.

Westport furnishes a striking example of the way in which Massachusetts towns have lost the possessions which the original settlers intended to secure to them forever. Originally, a highway four rods wide above high-water mark, and more than a thousand rods long, was laid out "along the beach to the harbor's mouth." In 1886 it was found that several persons had built houses in this highway. In order to save them the expense of removal, the highway was relocated on lower ground behind the houses, and completely out of sight of the ocean. Thus what might have become one of the most magnificent ocean drives in New England is now a little back road running along the edge of a marsh, and losing itself finally in the shifting sand hills which form the background of the splendid beach. At the present time a bridge is being made to connect this beach with Westport Point, and real estate speculation is already begun. It seems to me that the claim of the town to a roadway along the west beach might still be successfully maintained if any one should take an interest in the matter. And even those interested in this property solely from a specula-

tor's point of view must see that, unless such a highway is maintained, there will be no value to any of the back lots; while, with such a highway, the back lots would be nearly equal in value to the others.

FALL RIVER.

It was not thought necessary for the purpose of this report to visit Fall River. It may be mentioned, however, that, in the larger number of deaths among the children during one week last year,—the largest ever known in the city,—there were comparatively few who lived around the public recreation grounds.

FREETOWN.

The Forge Landing in Freetown was bought for a gravel pit, and is in no sense a place for public resort. The Elm Street Park contains about one-third of an acre. There is a town farm of about twenty-seven acres on Assonet Bay, which might some time be valuable for park purposes. The view across the bay here is charming.

BERKELEY.

The town common, given to the town of Berkeley so many years ago by Mr. Gilbert, is in much the same condition as noted in former reports. The town is rich in traditions. Dighton Rock is here, though usually visited from Dighton and Conspiracy Island, where King Philip is said to have planned his campaign against the early settlers. About a hundred rods above Berkeley bridge is the grave of an early settler who was killed by the Indians. A rude stone bears the inscription, "Edward Bobbitt, killed by Indians 1676" (?). South of Dighton Rock is the White Man's Spring, so called. An Indian tradition about this spring is believed by some to be evidence of the visit of the Norsemen.

TAUNTON.

Taunton is a city of villages, and the jealousy between different localities has prevented any adequate action in regard to parks. The "Green" opposite the City Hotel contains a fountain, and is surrounded by an iron fence. It was formerly of irregular shape,

and covered the land on which the court-house now stands. Many years ago, beside the Green, stood a building with a long piazza, supported by knotted posts; and from this the walk on that side of the Green is still called the "knotty walk." Another small common is Church Green, a triangular lot of land on Summer Street, adjoining the Unitarian church. It contains about half an acre, and is well cared for and shaded.

The street railway company recently purchased about twenty-five acres at Scadding's Point on Scadding's Pond, and proposed to make it a place of public resort. They asked the city to widen the street leading to the pond sufficiently to admit of laying double tracks; and an order to this effect was passed by the city government, but it was vetoed by the mayor.

Mill River, which flows through the town, is a very unsightly stream; but the Taunton River is a very pleasant stream, and could easily be made a prime attraction in any comprehensive system of local parks.

At Woodward Springs, the gift to the city of a wealthy gentleman of Wheeling, W. Va., there is a pleasant grove (provided with seats and a swing), a hill, and a low meadow bordered by a lazy little river.

The agricultural grounds, suggested by Hon. C. A. Reed as a suitable location for a park, are about a mile from the town, and may be reached by street railway. In every respect, except accessibility, they are inferior to the region around Scadding's Point.

From numerous conversations with Taunton people I judge that it would be extremely difficult to carry any scheme for a park through the various branches of the city government. The wisest course, in my judgment, would be to accept the Park Act without delay, choose commissioners in whose integrity and ability all classes will have confidence, and then allow them to settle the matter as the best interests of the city seem to demand.

DIGHTON.

Dighton has no public holdings except the landings at the ends of the roads running east and west. These landings are held in common by the towns of Dighton, Rehoboth, and Seekonk, which were formerly united. The famous Dighton Rock is visited from this town, but is within the town limits of Berkeley. The river between Taunton and Dighton is full of quiet beauty.

SOMERSET.

From the Fall River bridge southward there is a narrow strip of land between Taunton River and the road which ought to remain open. It is practically worthless for building purposes, but it affords a very pretty view of the rapidly growing city on the other side of the river.

I could get no definite information in regard to the public landings.

SWANSEA.

Swansea has two landings on Cole's River; about half an acre — the gift of Mr. Frank Stevens in 1890 — around the town hall, and nothing else so far as I can learn.

On the east side of Lee's River there was, for over two hundred years, a landing which had been laid out at the close of King Philip's War. It was in that part of Swansea which was set off as the town of Somerset, and a few years ago the town of Somerset sold it. The town of Swansea protested, but did nothing more.

Gardiner's Neck, in this town, is an unimproved, treeless region, with fine views of the sea, which is likely at some time to make an attractive suburb for Fall River.

APPENDIX IV.

A SUMMARY STATEMENT OF THE RIGHTS OF THE PUBLIC ON THE SEASHORES OF MASSACHUSETTS.

In general, the sea, harbor, and creek shores of Massachusetts are private property as far as mean low-water mark or as far as one hundred rods from mean high-water mark, if mean low-water mark is more distant.

The parts of the shore which are freely open to the public are : —

First.—The terminations of such public highways as lead to high-water mark.

Second.—The sides of certain public highways which, like the road over Nahant Beach, have been laid out as bounded by the sea.

Third.—Certain “common or public landings” and certain sea-shore “commons” reserved from the common domain by the original commoners or proprietors.

Fourth.—The shores of the so-called Province Lands upon Cape Cod, reserved from the public domain by Plymouth Colony, and inherited by the Province and the Commonwealth.

Fifth.—Certain parts of the shore which have in recent years been made “parks” by the action of State, city, or township authorities.

Lastly, in addition to the right to resort to these special places, the public possesses the general right to traverse “for fishing or fowling,” and, presumably, for mere pleasure, that strip of the shore which extends from mean high-water mark to mean low-water mark, except where the State Board of Harbor and Land Commissioners have, upon petition, allowed the private owners of the fee of this strip to enclose the same or build wharves or buildings on it.

ERRATA.

REPORT, 1892.

On page 18 of the Report of 1892 the Acres of public open space accredited to Worcester should be 364 instead of 1,364; and the Inhabitants per acre of open space should read 232 instead of 62.

On page 18 of the Report of 1892 the line "with the consent of the Park Commission instead of that of the voters" should read "with the consent of the Park Commission and that of the voters."

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REPORT
OF THE
TRUSTEES OF PUBLIC RESERVATIONS,
ON THE SUBJECT OF THE
PROVINCE LANDS.
FEBRUARY, 1893.

CONTENTS.

	Page
An act for the improvement of the lands belonging to the Commonwealth at Provincetown in the county of Barnstable . . .	3

REPORT : —

As to the physical nature of the province lands	6
As to the State's title to the province lands	7
As to the management of the province lands	8

APPENDIX : —

A draft of "An Act to provide for the better management of the province lands"	15
Report of the surveyor	16
Stenographic report of the public hearing	18

ILLUSTRATIONS : —

[After photographs by W. H. SMITH, Provincetown.]

- I. A reedy pond in the wooded region; a grassy sand ridge in the distance.
- II. The edge of the naked sands; wooded ridges in the distance.
- III. A wind cut in a wooded ridge.
- IV. Sand from a wind cut piled on top of trees and bushes.
- V. A sand drift filling a lily pond.
- VI. A part of a ruined ridge: the ocean in the distance.
- VII. View down the slope of a ruined ridge to Race Run; Race Point Light and the sea.

Commonwealth of Massachusetts.

[CHAPTER 420.]

AN ACT FOR THE IMPROVEMENT OF THE LANDS BELONGING TO THE COMMONWEALTH AT PROVINCETOWN, IN THE COUNTY OF BARNSTABLE.

Be it enacted, etc., as follows :

SECTION 1. The trustees of public reservations, created by chapter three hundred and fifty-two of the acts of the year eighteen hundred and ninety-one, are hereby authorized to make maps and plans of the lands belonging to the Commonwealth at Provincetown, in the county of Barnstable, not occupied by buildings, and to collect such other information in relation thereto as they may deem expedient, and shall report to the next general court on or before the first Wednesday of February, a comprehensive plan for improving said lands.

SECT. 2. Said trustees shall receive no compensation, but may employ such assistants as they may deem necessary, and may expend such sums therefor and in the discharge of their duties, including the actual travelling expenses of said trustees, as the governor and council may determine.

SECT. 3. This act shall take effect upon its passage. *Approved June 16, 1892.*

of the Commonwealth of Massachusetts, which has maintained its title ever since. To be sure the revised statutes of 1836 contained a section (section 12, chapter 119) which would have transferred the title from the Commonwealth to the squatters on its property at the end of twenty years, had not the General Court enacted in 1854, chapter 261, sections 8 and 9, as follows :

“ The title of the Commonwealth as owner in fee to all the province land within the town of Provincetown is hereby asserted and declared, and no adverse possession or occupation thereof by any individual, company, or corporation for any period of time shall be sufficient to defeat or divert the title of the Commonwealth thereto.

“ The provisions of the twelfth section of the Revised Statutes, chapter 119, shall not be held to apply to any of the province lands in said town of Provincetown.”

Nothing has occurred since 1854 to impair the title which was then so vigorously asserted.

As to the management of the province lands by colony, province, and Commonwealth, the main facts are the following: The colony of New Plymouth maintained a “water bailiff” at Cape Cod harbor during fishing seasons, and through him collected a considerable income from the sale of “fishing privileges,” which included the right to use the colony lands for the drying of fish. That this use of the lands by fishermen resulted in injury to the protecting vegetation of the sands, is proved by the fact that the first legislation dealing with the cape lands after the union of Plymouth with Massachusetts was “An Act for preserving the harbor at Cape Cod, and regulating the inhabitants and sojourners there.” (Chapter 3, Acts of 1714.) Here is the instructive preamble of this early act :

“ Whereas, the harbor at Cape Cod, being very useful and commodious for fishing, and the safety of shipping, both inward and outward bound, is in danger of being damnified, if not made wholly unserviceable, by destroying the trees standing on the said cape (if not timely prevented), the trees and bushes being of great service to keep the sand from being driven into the harbor by the wind. — *Be it enacted, etc.*”

In 1727 the town of Provincetown was established by the act already quoted. Again in 1740 there was published "An Act to prevent damage being done to the harbor of Cape Cod by cattle and horse-kind feeding on Provincetown land;" and when this act proved ineffectual it was amended and added to at various times, and finally recast by the General Court of 1780. Nevertheless, a special commission, appointed in 1825 to report upon Cape Cod harbor, found that trees had been cut down on the seaward side of the Cape, and the sand loosened thereby. "The space, where a few years ago were some of the highest lands on the cape, covered with trees and bushes, now presents an extensive waste of undulating sand." This report resulted in an appeal to the national government, and led to the expenditure of twenty-eight thousand dollars between 1826 and 1838, in an endeavor to repair the damage done to the protecting beaches of the harbor by planting beach grass on the loosened sands. In 1833 we find "An Act to prevent the destruction of beach grass in the towns of Provincetown and Truro." In 1837 a second special commission made various recommendations, which were embodied in "An Act for the preservation of the province lands in the town of Provincetown." In 1852 another five thousand dollars was expended on the cape by the national government, and in 1853 and 1854 reports were again addressed to the General Court by special commissions. The report of 1854 was a thorough and comprehensive document, from which much of the foregoing information has been gathered. Influenced by it the General Court passed still another "Act for the protection of the province lands," namely, chapter 261, Acts of 1854, an act which, as modified by chapter 218 of the Acts of 1869, regulates the management of the province lands to-day. The latest act reads as follows :

AN ACT IN ADDITION TO AN ACT FOR THE PROTECTION OF PROVINCE
LANDS IN PROVINCETOWN.

Be it enacted, etc., as follows :

SECTION 1. If any person shall, without the consent in writing of the agent to be appointed as hereinafter mentioned, pull up or destroy any beach-grass, bushes, or trees, or remove sods on or

from the province lands in Provincetown, in the county of Barnstable, or shall use any of the said lands for pasturage without consent as aforesaid, he shall forfeit and pay the sum of five dollars for the first offence, and ten dollars for every subsequent offence, to be recovered on a complaint before any trial justice for said county of Barnstable.

SECT. 2. It shall be the duty of the governor, by and with the advice and consent of the council, immediately after the passage of this act, and in the month of June in each year thereafter, to appoint an agent, who shall be an inhabitant of Provincetown, and who shall be sworn to the faithful discharge of his duty, and who shall prosecute for the penalties mentioned in the preceding section, and the same when recovered shall be for the use of said town; and the said agent may grant written permits to remove trees, sods, and brush from unexposed or low and swampy places, and also for pasturage, when, in his opinion, after he shall have made a personal examination of the premises, such permits may be granted without causing injury to Cape Cod harbor, or to any public or private property. For such permits granted by said agent, he shall receive from the party obtaining the same the sum of one dollar, which shall be paid into the treasury of the aforesaid town. Said agent shall hold his office for one year, unless sooner removed by the governor and council, or until his successor shall be appointed and qualified, and he shall receive three dollars for each day's actual service, from said town.

SECT. 3. The said town of Provincetown shall annually elect a committee of three persons, who shall be sworn to the faithful discharge of their duty; and said town is hereby authorized to enter by said committee, chosen as aforesaid, upon any of the province lands enclosed or unenclosed, for the purpose of setting out pines, bushes, or grass, whenever said committee may deem it necessary for the preservation of said harbor or of any highway in said town.

SECT. 4. Whenever, in the opinion of said committee, it shall become necessary, in consequence of any violation of the provisions of this act, to set out pines or beach-grass on any lot of said lands enclosed, the expense thereof shall be paid by the person or persons in the occupancy of the same; and in case of refusal by any occupant to pay such expense, it may be recovered by said committee in an action of contract in any court proper to try the same.

SECT. 5. The said town of Provincetown is hereby empowered to raise annually such sum of money as may be deemed necessary to defray the expenses of planting pines and setting out beach

grass on said province lands, and to pay the aforesaid agent and committee for the services by them rendered; and any sums raised for these purposes shall be assessed and collected as other taxes now are.

SECT. 6. So much of chapter two hundred and sixty-one of the acts of the year eighteen hundred and fifty-four, and all other acts and parts of acts inconsistent with the provisions of this act, are hereby repealed; but nothing in this act contained shall be construed as repealing sections eight and nine of said chapter two hundred and sixty-one, or any portion of section twelve of chapter one hundred and fifty-four of the General Statutes.

In practice this latest of the long series of enactments intended to preserve the province lands and Cape Cod harbor has not accomplished the purpose expressed in its title. The few squatters who occupied small parcels of the province lands when they were made a township in 1727 have increased, until the whole harbor beach is occupied by commercial buildings, and Provincetown, with five thousand inhabitants, has become the largest town in Barnstable county. With so large a population seated upon open lands defended by only one poorly paid agent of the Commonwealth, it is not surprising that unlawful gathering of firewood and sod should have occasioned much damage in the course of twenty years. The fact is that the law of 1869 has become little more than a farce. In 1891 the State agent was paid by the town for just five days' attention to the defence of the State's property, the agent paid to the town four dollars received by him for the four permits, which were all he issued in that year, and no attempt was made to prosecute for taking material without a permit. Moreover, although the town goes through the form of an annual election of a beach grass committee, nothing whatever has been done by this committee during any recent years.

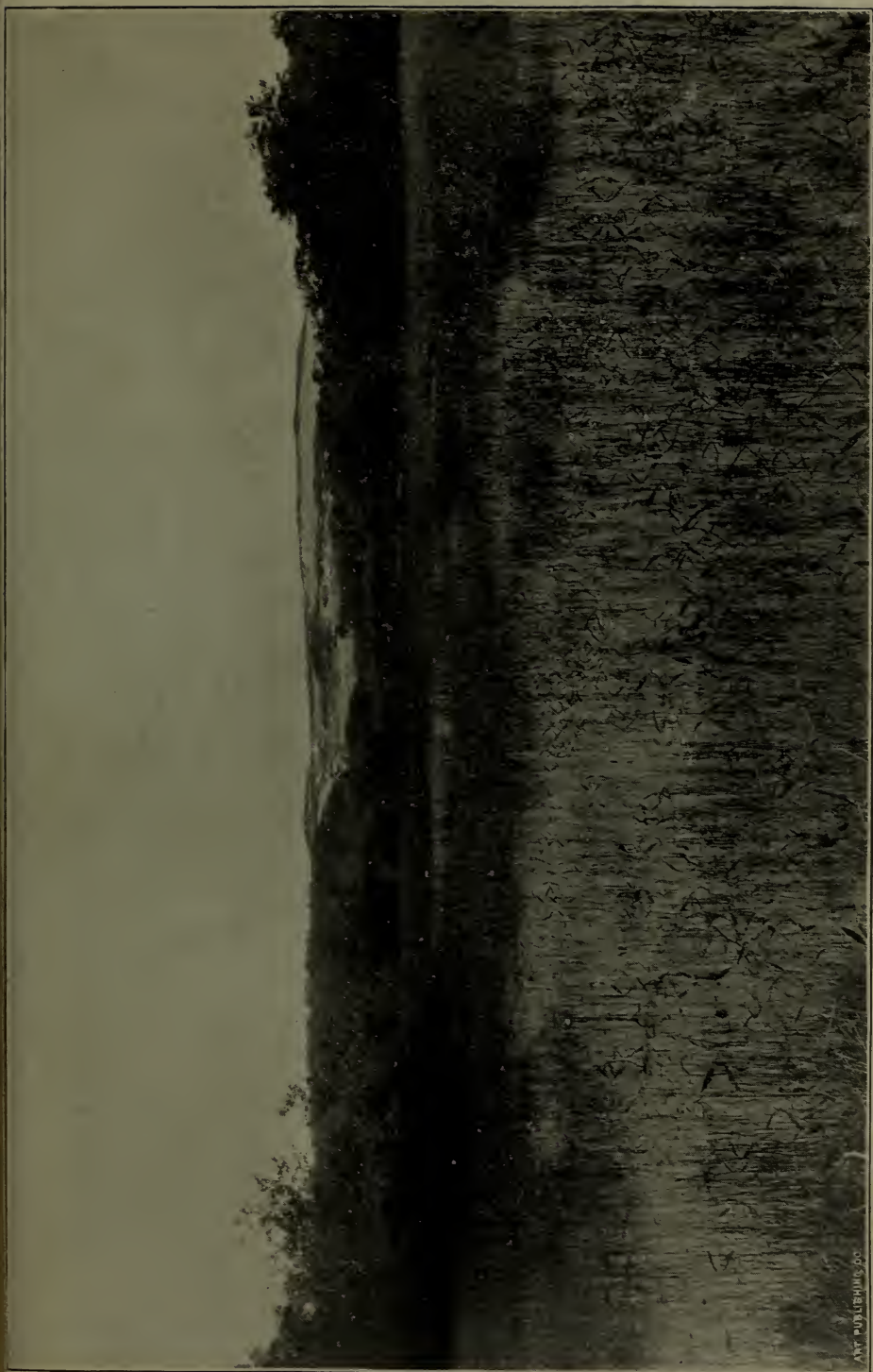
What manner of destruction is going on meanwhile in the rear of the village of Provincetown the pictures herewith submitted will serve to show. Half of the province land is already a treeless waste. The commissioners of 1825 reported to the General Court that this desert was the result of the stripping of vegetation from the seaward sand hills. We find to-day that, once the mat of plant roots is removed

from a windward slope, the north-west gales cut into the wounded place and proceed to undermine the adjacent plant-covered slopes.* The sands blown out of such places are dumped in the lee, in the nearest hollow, burying the trees and bushes and stifling them to death.† Once rid of the trees, the sands are drifted by the winds like snow. The beach grass planted by the government seems to have stayed the destruction of the old ridges in some measure; but the wheels of carts continually crossing the sand drifts in the direction of the worst gales soon broke the grassed surface so that the wind got hold, "blew out" great areas, and dumped the sand in such steep drifts in the edges of the woods that many cart paths become impassable, so that new routes were sought, where the operation was repeated. Within the province lands the grassy Snake Hills and the wooded ridge called Nigger Head have bravely withstood the gales without serious change since Major Graham surveyed the field in 1833-35; but between these two points the winds have made great havoc. Wooded knolls have been cut in two, ponds filled up, and such woodland buried. East of Nigger Head and towards eastern harbor, beyond the bounds of the province lands, the changes have been even more violent. Several salt creeks have been wholly filled up, and former sand ridges levelled so that the hulls of vessels on the ocean are now visible from the harbor.

In view of all these facts and others elicited at the hearing, a stenographic report of which is herewith submitted, it is obvious that Cape Cod harbor can be preserved from eventual destruction only by the united action of the United States, Massachusetts, and Provincetown. The United States, upon obtaining possession of Long Point in 1864, constructed valuable protective works. Over her own portions of the sand breakwater of the harbor the Commonwealth ought certainly to exercise an effective control. The present arrangement under which the agent of the State is paid by the town, and by the day, is anomalous and absurd. Accordingly, in the draft of an act which is appended to this report, the superintendent of the province lands is made the

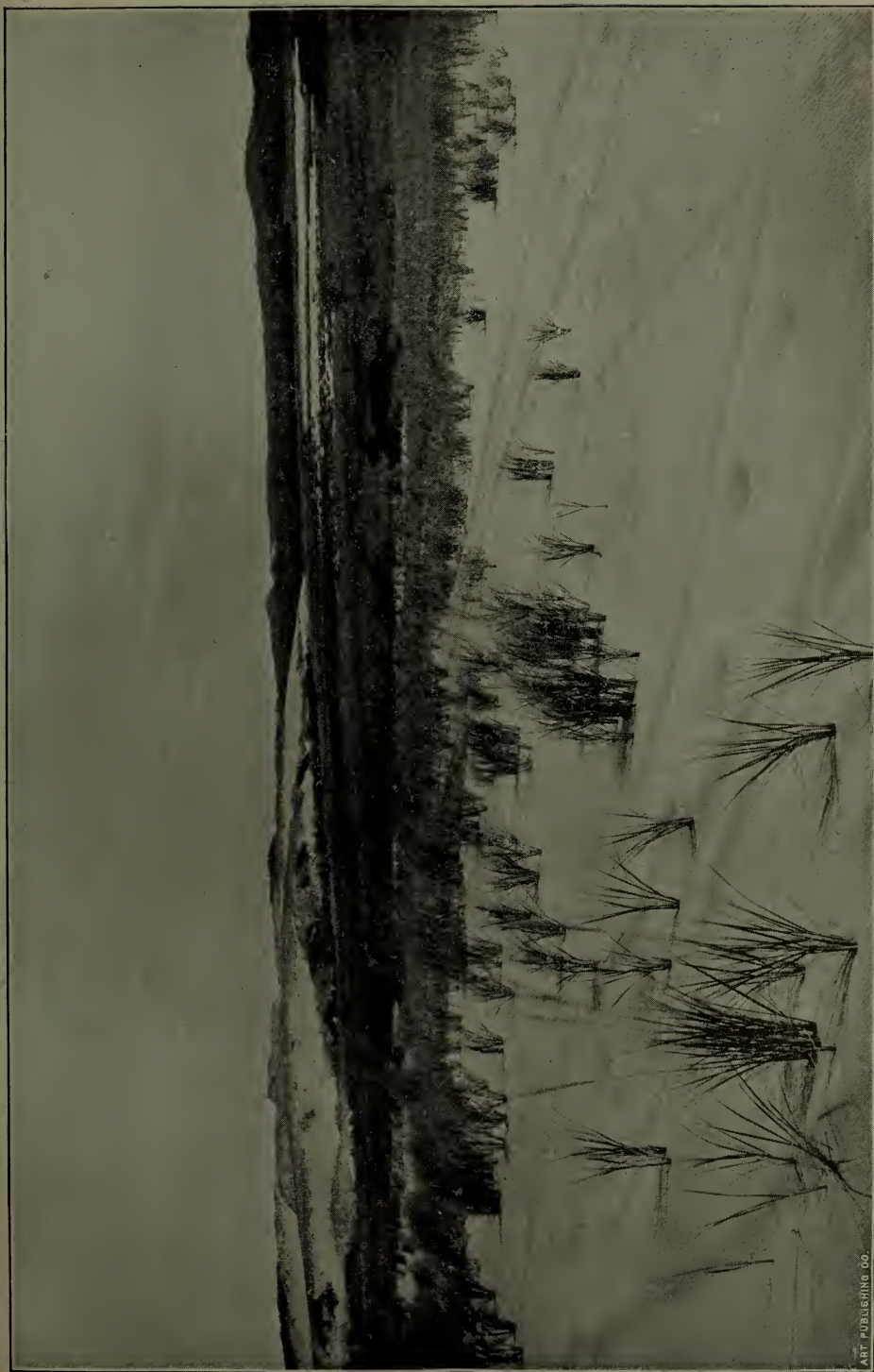
* See illustration No. III.

† See illustration No. IV.

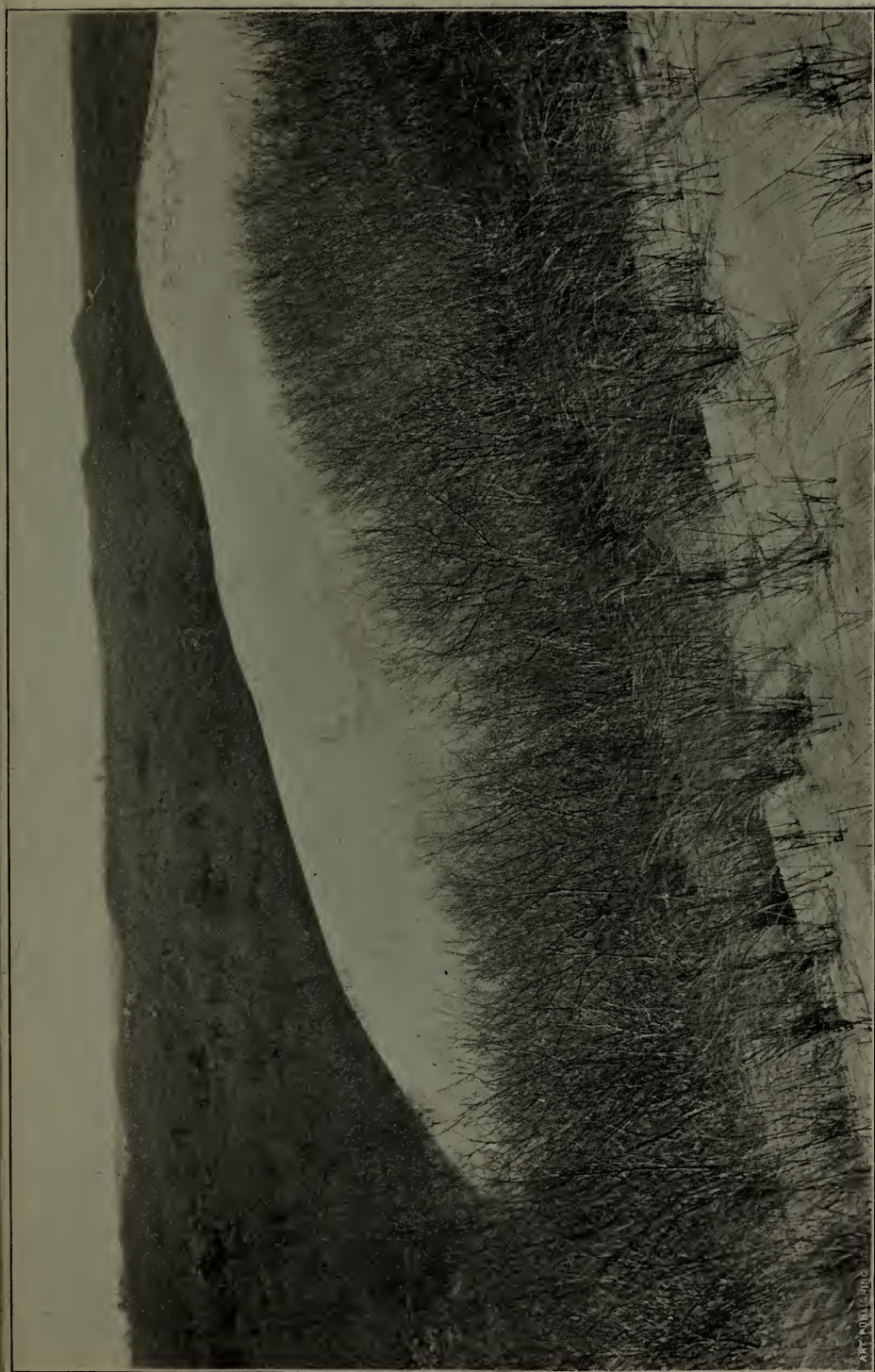


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servant of the State alone. By wisely directing the routes of travel across the sands, by watching for and attending to the beginnings of wind cuts, and by inducing a gradual re-foresting of the dunes, a capable superintendent could, we believe, successfully check the further progress of destruction. It would remain for the town of Provincetown to assist the superintendent in every possible way, seeing that its interests as a summer resort as well as its continued existence as a town depend alike upon the preservation of the remaining verdure of the province lands.

In conclusion, we would propose that the appointment and oversight of the superintendent of the province lands should rest with the Board of Harbor and Land Commissioners already established. Chapter 19, section 3, of the Public Statutes, decrees that these commissioners "shall have charge of all the lands, flats, shores, and rights in tide-waters belonging to the Commonwealth, except those for which other provision is made, and shall, as far as practicable, ascertain the location, extent, and description of such lands; investigate the title of the Commonwealth thereto; ascertain what parts thereof have been granted by the Commonwealth; the conditions, if any, on which such grants were made, and whether said conditions have been complied with; what portions have been encroached or trespassed on, and the rights and remedies of the Commonwealth in relation thereto; prevent further encroachments and trespasses; ascertain what remaining portions of such lands may be leased, sold, or improved with benefit to the Commonwealth and without injury to navigation or to the rights of riparian owners; and for the purposes aforesaid may, with the approval of the governor and council, require the services and assistance of the attorney-general. They may lease for purposes not injurious to navigation or to the rights of riparian owners any parts of the aforesaid lands of the Commonwealth for periods not exceeding five years."

Section 2 of the same chapter directs them to recommend in their annual reports "such legislation as they deem necessary for the preservation and improvement of the harbors of the Commonwealth, and for the promotion of its interests connected therewith." Section 18 gives them authority to

"apply to Congress for appropriations for protecting and improving any harbor in the Commonwealth."

Chapter 144 of the Acts of 1886 provides that "the board of harbor and land commissioners shall have charge of all the lands and rights in lands belonging to the Commonwealth, wherever the same are situate, except those for which other provision is made by law, and shall have the same powers and duties in respect to such lands that they now have or may hereafter have under general laws in respect to lands, flats, shores, and rights in tide waters belonging to the Commonwealth."

Thus the Harbor and Land Commission is already possessed of ample authority to enable it to care for the province lands after they have once been placed under its charge. Moreover, under section 2, just quoted, the commission might well render a great service to the permanent interests of the State, as well as those of Provincetown, by recommending to the General Court some measure which would result in an amicable adjustment of the private claims upon the province lands. Thus the State might agree with Provincetown to grant to the town the title to the southern or closely occupied part of the lands, on condition that the town would clear of buildings some portion of the harbor beach, and bear the cost of the extinction of the squatter claims on the northern or wild lands.

The above report is respectfully submitted by

PHILIP A. CHASE,
HENRY P. WALCOTT,
C. S. SARGENT,
GEO. WIGGLESWORTH,
CHARLES ELIOT,

Standing Committee of the Trustees of Public Reservations.

A P P E N D I X.

AN ACT TO PROVIDE FOR THE BETTER MANAGEMENT OF THE
PROVINCE LANDS.

SECTION 1. The board of harbor and land commissioners shall have general care and supervision of the *province lands* at the extremity of Cape Cod, shall fix and mark the bounds thereof, shall establish regulations for the care thereof, shall annually appoint a superintendent thereof, and, with the approval of the governor and council, shall fix the amount of his compensation, and the amount which may be expended by him in the protection and improvement of said lands.

SECT. 2. Chapter 218 of the acts of 1869, and all other acts or parts of acts inconsistent with this act, are hereby repealed.

SECT. 3. This act shall take effect on the first day of July, eighteen hundred and ninety-three.

REPORT OF THE SURVEYOR.

BOSTON, MASS., Dec. 1, 1892.

To the Trustees of Public Reservations :

GENTLEMEN : I have the honor to report that, in accordance with instructions received from your body, I have made a topographical survey of the province lands, and incidentally of the township of Provincetown, and herewith tender to you the resulting map. Before commencing field work, it became necessary for me to visit the departments at Washington to secure copies of earlier surveys, for the purposes of comparison. At the War department, where I obtained a rare copy of General Graham's map, from survey's made in 1833-34-35, and a tracing of the original, and at the office of the Coast and Geodetic Survey, where I obtained tracings of Prof. H. L. Whiting's survey, made in 1847, and of Assistant H. L. Merinden's survey of the shore line, made in 1890, I have to acknowledge the most kindly and considerate treatment. I have also to acknowledge the useful information given to me at the office of the Topographical Survey Commission in this city.

My triangulation of the territory depends upon the United States Coast and Geodetic Survey bases, Mount Gilboa to Centenary Church, and Mount Gilboa to Methodist Church.

I organized a party in Provincetown early in September of the current year. Having covered the territory to be surveyed with a system of triangulation, depending upon the above-mentioned bases, and marked the points with stakes and small signals, I made a topographical survey with a plane table, adopting the scale of $1/5280$ (or one foot equal to one mile), so as the more readily to compare the work with General Graham's survey, plotted on the same scale.

Cape Cod, westward of High Head in Truro, seems to consist of a body of slowly shifting sand, in some places bare, in others covered with beach grass, more or less scattered, and elsewhere by a growth of scrub oak and pine trees, with a dense undergrowth of bushes.

A comparison of the two surveys shows no material change on the north or ocean side of the cape. To the westward, inside of

Race Point, the shore line has receded about one-eighth of a mile, and what was formerly a harbor has been filled with sand. The great outer sand ridge, nearly one hundred feet high, and extending the whole length of the township, parallel with the sea beach and about one mile distant inland, has been moving bodily towards the harbor, like a giant wave, covering lake and forest in its progress. The rate of progression is about ten feet annually. The north wind as a motive power annually carries more than one million tons of sand a distance of half a mile from the northern foot to the rear of the ridge. As the sand moves inland it lays bare the stumps of a long-covered forest, and discloses, as shown by strata of loam, the undulating surface over which it has passed. There are evidences of two or more surfaces, once covered with verdure, thus exposed.

The only material change in the interior of the peninsula is the filling up of the lakes and ponds, due in part to artificial causes. Great changes have also occurred at East Harbor, owing to the dyke built across the entrance. The shore line of Provincetown harbor does not show much change save at Long Point. The map indicates the growth of the town away from the water front. Very little of the land outside of the village has been improved, excepting the cranberry bogs in the low-lying areas.

A peculiarity of the sand of Provincetown is that it seems to retain moisture to within a few inches of the surface to the summits of the hills, which are from fifty to one hundred feet above the water level. Willows, silver maples, cotton-wood, scrub oaks, and pines seem to flourish in the soil, and could be planted in such a way as to stay the inroads of the great sand ridge, which seems destined in time to overwhelm the beautiful village of Provincetown, and destroy the finest and most convenient harbor of refuge on the Atlantic coast. To stop the progress of this body of sand should be of interest not only to the Commonwealth of Massachusetts, but to the whole commercial world. A few thousand dollars wisely expended in Provincetown within a few years would eventually save millions to the people.

Grading, from the nature of the soil, can be done in the province lands at a very small expense; and good roads can be built at a reasonable cost.

Yours respectfully,

JOHN N. McCLINTOCK.

HEARING

BY

THE TRUSTEES OF PUBLIC RESERVATIONS.

PROVINCETOWN, MASS., Oct. 28, 1892.

A public hearing was given by the Trustees of Public Reservations, in the town hall at Provincetown, on the above date, at 10 o'clock in the forenoon. Mr. Philip A. Chase presided.

The CHAIRMAN. — Gentlemen, the hour has arrived for this hearing, and, to properly begin, I suppose we should read the act of the Legislature under which this hearing is held. Will the Secretary read it?

The Secretary, Mr. Charles Eliot, read the act, and then said :

Mr. ELIOT. — Perhaps I had better say, Mr. Chairman, in continuation of that reading, that this Board of Trustees was created by the previous Legislature to that which passed this act, entirely without any knowledge of the fact that these so-called province lands existed; and this last Legislature has put this duty upon this Board by this act without consultation with this Board, and we are here in obedience to this act of the State, by no means of our own motion. We are anxious, of course, however, to do what we can to help the State authorities to some wise conclusions in this matter. We have been looking back through the records and statutes of the Legislature with some care, and Mr. Wigglesworth, on my left hand, has prepared a schedule of the statutes, and it is an interesting series of statutes. We found that the last general inquiry under State authority into these problems of the province lands was made in 1850 somewhere —

Mr. JAMES GIFFORD. — 1854.

Mr. ELIOT. — 1854, thank you — by a special State commission and, of course, we have their report. Since then, as I understand it, there has been no inquiry coming from the State House or from the State. I do not know as I need to say anything more on that head.

I will, by your leave, Mr. Chairman, read the call for this meeting. We have gone so far in our course of duty as to prepare the

map called for by the act. That is only just completed ; indeed, the drawing is not finished, but a diagram has been made for the purposes of this meeting. That we will speak about later. In further fulfilment of our duties, as we understand them, we have called this meeting by this notice which I will now read. [Call for the meeting read.] Is there anything more that I need say now, Mr. Chairman?

The CHAIRMAN. — I think not. I think that is a sufficient preliminary statement, and I will declare the hearing now opened. If any one has anything to say in regard to the natural history of these lands, the general history of their past management, any suggestions to make as to any defects in the past management, any suggestions to make as to the future management of the property, we will be glad to hear them. I merely throw out those heads to give you a starting point.

Mr. ELIOT. — Mr. Chairman, I will perhaps say a word concerning our search into what we may call the natural history of these lands. We have made a little progress in that. Of course we are here to-day, as we have been here once or twice before, simply to learn as much as we can about these lands in every relation thereof ; and we have been looking into what may be called the natural history of them, to begin with, and we find, of course, as you all know, that it is a region of pure sand, and built up with material brought here from the main body of the cape by the currents and the sea ; and we find the seaward portion of these lands, at least one-half of the province land, a country of sheer naked sand, except for the beach grass and some other grasses in the hollows. We find evidence of the movement of the high ridges of sand, this evidence consisting chiefly in the finding of the trunks and stumps of ancient woods at the seaward bases of the present ridges, apparently signifying that a wave of sand has swept over preëxistent woods, and has now gone so far by that the remains of these ancient woods are laid bare again. We also find on the inner or landward side of the inner or landward ridge in a few places some very plain signs of recent and what appear to be sudden drifts of sand working in landward. Then again, beyond these easily seen evidences of the movement of the sand, we have the evidence of our surveyor, who, starting his work upon the same points and bases that were occupied by Engineer Graham in 1837 or 1838, finds that the inner or southern ridge of naked sand, the summit thereof, is some five or six hundred feet nearer the town than it was at the date of Major Graham's survey. I believe I am right in saying five or six hundred feet, Mr. McClintock. Mr. Graham's surveyors occupied stations upon that

ridge, which is the innermost dune, this ridge here [referring to map] to the west of Negro Head, and Mr. Graham's stations are now found to be at the seaward base of the present ridge. There is one of Mr. Graham's stations, and here is the summit of the present ridge. That seems to be the extent of the motion of that big ridge within this considerable period of time.

Now, we should very much like to hear from any gentleman who has any evidence at all of any kind to offer as to that point, — the progress of the sand either there upon the back of the woods or at these points which may be called around the ends. Here is this Negro Head; here are these so-called Snake Hills, which, as far as we make out, are of the same shape and in the same position that they were at the time of Graham's survey; but in this intermediate region between Negro Head and Snake Hills such evidence as has been already collected seems to prove that the sand has come in there five or six hundred feet. It looks now as if — it did look to me from my personal observation — as if the sand had come in rather lately into what may be called the rear of Negro Head, but that may have happened long ago; I do not know. Possibly some one here may tell about that. One would suppose that the woods of Negro Head would be found to be connected with the main body of the woodland; but now the sand is in between, and the Negro Head is almost cut off. Whether that is recent or ancient we should like to know.

Mr. REED. — Negro Head is going now all the time. The sand on the west side is coming toward it, coming into it.

Mr. MARSHALL L. ADAMS, chairman of the board of selectmen of Provincetown. — Mr. Chairman, I will say as to drifting sand, — I did not intend to have much to say in this matter, I have a list of gentlemen whom perhaps I will call to speak upon the matter, — but regarding the shifting of this sand at the southward of this Negro Head down on the county road, you may take the locality where the bound stone stands between the towns of Provincetown and Truro, — when I came on the board, when I was first elected on the board in 1880, the bound stone at that time, — perhaps to go back a little, at the second annexation of the town of Truro to the town of Provincetown, the bound stone was located at Stout's creek, what was then called Stout's creek, down on the county road. When I first perambulated the lines with the selectmen of Truro at that time the bound stone was down on the marshy land; to-day it is on a hill, perhaps. Well, I should say at the least calculation it is fifteen feet higher up than it was at that time. There is a hill grown right up there. At the time Mr. Graham surveyed the town, there was a large hill down just before you got

to this bound stone, and the Commonwealth, when they built the sod dike here, removed entirely one hill, and took the greater part of another. Well, right here alongside of that hill where the Commonwealth made this excavation for the dike, you can see there by observation that it has rolled right in there, large hills of sand.

Perhaps as the hearing progresses I may think of something I will suggest to the committee, but in the mean time I will call upon some gentlemen, and will first ask Mr. James Gifford to address the committee.

Mr. JAMES GIFFORD. — Mr. Chairman, this is the first notice I have had of being called upon for any information. If I had expected to be called upon, I would have prepared some statement in relation to the encroachment of the sand. I know that the statement of the chairman of the selectmen which you have heard is correct, and in illustration of that, the encroachments of the sand or the levelling of the hills beyond the east harbor have continued so that, — standing in the village here formerly you could not see any sails of vessels over it, now from the wharves or from any elevation here a fleet coming up on the outside to here, anywhere along here, is distinctly seen by the eye. In 1847 Mr. Henry L. Whiting of the coast survey made a topographical survey of the cape and of Provincetown. He established a bound somewhere in this vicinity upon the hill upwards of thirty feet high. In 1868 he made another survey, and I happened to be with him at the time. He wanted to determine this point here, and instead of the hill he found a hollow there. That shows the encroachment. The encroachment here has come almost down to the water. Here is the town line. Stout's creek was in this vicinity. Here was an open. Formerly it was of sufficient depth there at high water, — the tide ebbed and flowed there, and remains of blackfish, a species of whale, were found there, so there was water there probably about 1832, at the commencement of Graham's survey. His survey extended from 1832 and included 1835. During those years I was with Major Graham, and in 1866 he made a visit here, and went with me to Long Point, and standing on the end of the point he remarked to me that in 1835 when he made his survey there were seventy-five feet of water where we were then standing. But there is a general movement of the sand toward the harbor all along the line of that beach, and the Negro Head here, as it has been called, is perhaps more thoroughly protected against the encroachments of the sand than almost any other part by the shrubbery and trees and turf there, so that it is more easily encroached upon the rest of the

distance from there. What may be the ultimate result I suppose no one can tell, but it is at least a remote danger to the harbor. If the movement of that sand could be arrested, it would be a very essential security against that result. Prior to this — I do not remember or know what the earliest period was — the government set beach grass in this to prevent the encroachment of the sand, but unfortunately, instead of setting the grass in the low places where it would spread from there, they planted the grass upon the hills, high ground, where it had the full rake from the sea, nothing to protect it, and the result was that it blew the grass out, and very little of it did any good. If it had been set in the hollows, there is no doubt it would have spread, and been an essential prevention; and at the present time my judgment is that if trees, willows, and what is called here silver leaf, a species of poplar, which will grow readily in sand and in dry places here, and which sprouts up very thickly too, were planted, I think they would spread, and would not require great expense in setting them out.

I do not think of any special point, unless there is some question asked, that I could present to the trustees. In fact, I had not expected to make any remarks at all. In regard to the object of the trustees, of course there have been a great many acts, but they have not, many of them, accomplished what was expected of them. This wooded part, I suppose, is generally held by individuals, subject to the title of the Commonwealth. In 1855 the Commonwealth asserted its title to the land, and the land is held, admitted by everybody, subject to that title, but is conveyed the same as land is elsewhere, on the supposition that the Commonwealth would not take land from individuals without compensation for improvement.

The CHAIRMAN. — Does any member of the trustees desire to ask Mr. Gifford any questions?

Mr. GEORGE WIGGLESWORTH. — Mr. Gifford, will you explain a little more fully Major Graham's remark as to there being water where there had been sand on Long Point?

Mr. GIFFORD. — No, it was sand where there had been formerly seventy-five feet of water, at the end of Long Point. We were standing right at the tip end of the point. The sand had come around here, and had extended to that point.

The CHAIRMAN. — Do you understand that is the tendency of the sand now?

Mr. GIFFORD. — Yes, sir; the sand is now deposited farther off. There is a shoal grown there. The government first dropped stone along here, but my conviction is it has improved the matter

but very little. I do not think the sand has been lessened by any such process. As far as my experience has gone, the erection of brush work on the shore arrests the progress of the sand; but no bulkhead of plank or stone has ever benefited it at all in that way, so far as my knowledge of it has extended in any case.

The CHAIRMAN. — Mr. Gifford, would it be convenient for you to explain to the trustees the jetty work the government has undertaken farther along over here?

Mr. GIFFORD. — There were plank jetties made here under the supervision of General Benham, and at Long Point, and the result was that it could come each way, and nearly cut this point through. After that I had occasion to call upon the engineering department in Washington, in relation to matters here, — fisheries, — and spoke of that, and the necessity of some work here. This point was being carried away by the sea, and there had been some spiles, a small pier, one or two; it operated in the same way, and General Humphrey, I think it was, then said he was satisfied that was not a proper thing, not a proper work to establish. Well, General Benham then on this point here, Beach Point, erected a work there nearly half a mile long at an expense of thirty-five thousand dollars, and the whole thing was swept away in one gale. It was a tight bulkhead put in the sand. He was succeeded by General Foster, and General Foster erected brush jetties all along here, and in a very short time they filled with sand, and nearly doubled the distance between the jetties and Beach Point. That has been the effect, so far as it has been tried here. The town has established similar works along here, and has gathered sand in the same way. There is only one difficulty about it, — at the terminus of the work it comes in. There has no remedy for that yet been found. If you establish a point there, at the end of the point there it will cut right down into the shore.

The CHAIRMAN. — That is, you cannot make it taper where you leave off; it wouldn't taper off, but is abrupt, and the sea washes in?

Mr. GIFFORD. — Yes, sir; and I think the longer the jetty is, the deeper the cut. Perhaps there will be some method ascertained to prevent that.

The CHAIRMAN. — On the inside of this work, Mr. Gifford, at Long Point, isn't there some work going on there? Haven't there been some obstructions there?

Mr. GIFFORD. — There are some gentlemen here that are much more familiar with it than I am. I have not examined it, and do not know exactly; but there are a number of persons here who are familiar with it, and will give all the information you need.

Mr. ELIOT. — Mr. Gifford, may I ask, you mentioned the numerous statutes concerning the protection of the wooded area of the land. I suppose you referred to the statutes prohibiting promiscuous pasturing, and so on?

Mr. GIFFORD. — Yes, sir.

Mr. ELIOT. — You said they had not been effective there.

Mr. GIFFORD. — No, they have not been effective, mainly from this point. There have been agents appointed by the Commonwealth without compensation, unless they obtained it from the party. They were obliged to pay, I think, a dollar for a permit. The compensation has not been sufficient to interest the agent, and the general result was a quarrel with his neighbor or somebody else, and the thing has to a large extent gone by default in that way, although I do not know that there has been any very serious damage done; perhaps there may have been some.

Mr. ELIOT. — We noticed way back in 1700 there was a succession of statutes prohibiting various practices, chiefly pasturing, and they were reenacted every few years, as if they had failed to effect much, and they would try it again.

Mr. GIFFORD. — I think that is correct. I think that is so.

Mr. ELIOT. — But since 1854, from the establishment of this system under a State agent, there has not been any further legislation on that head, so far as we could discover.

Mr. GIFFORD. — Well, no. When these statutes were passed, there were considerable many cattle and some sheep over here; but in later years, from the fact that the pastures did not furnish enough, a very few cattle have been kept. Those that are now kept are generally pastured on reclaimed swamps. There is a gentleman present here who has fifteen or twenty cows to supply milk here, although most of our milk comes from adjoining towns; but he has pastured his cows in that way, so that from the cattle or horses or sheep for fifty years there has been very little damage done, and therefore there was no necessity for statutes. As long as the cattle were held here they were generally let loose a considerable portion of the time. At any rate, I remember when a boy that the boys used to be sent out to hunt up the cows when it came night, so that they strayed about where they chose to.

(During the statement of Mr. Gifford several members of the Board of Trustees came into the room.)

The CHAIRMAN. — I will state, for the information of the trustees who have just come in, that the hearing opened about fifteen minutes after ten, and the call for the meeting was read, and the act was read which creates this commission. The secre-

tary made a statement of the work of the trustees so far in regard to preparing plans, etc., and Mr. Adams, of the selectmen, made a few remarks, and Mr. Gifford has just closed with a statement of what he remembers of the natural history of the cape, this end of the cape, and the changes that have taken place within his memory.

Mr. GIFFORD. — There is one fact that I should have mentioned in relation to the outer shore. In 1868 Mr. Whiting examined the beach and compared it with his former survey, and he said that the changes there, the cutting away, was about equal to the filling, so that, taking the whole contour of the coast, there was not very much difference.

The CHAIRMAN. — It was cut away in one place and deposited farther on?

Mr. GIFFORD. — Yes, sir. About five years ago, I think it was, the old frigate "Somerset" was exposed. She was wrecked in November, 1778, and her frame was exposed for many years, but finally the sand made down beyond here, and I think it was about five years ago, in a violent north-east storm, her hull was exposed a little, a considerable portion of her deck, and the bank (I made a measurement at the time) extended up one hundred and five feet beyond where it was that she had gone ashore. It is now filled up again. It came on within a year or so, so that no part of her has been exposed since, showing the rapid changes that take place there; and I think that is the observation as to vessels which have been wrecked there. The sand makes right off, and buries them.

The CHAIRMAN. — That is an interesting fact.

Mr. GIFFORD. — It is about three-quarters of a mile away from the Peaked Hill life station

Mr. ADAMS. — I will now call upon Mr. James A. Small, chairman of the Board of Assessors.

Mr. JAMES A. SMALL. — Mr. Chairman, I hardly expected to be called on. I have had experience all my life, about fifty years or more, on this end of Cape Cod. In my early days I used to travel over that sand hill between the two towns three or four times a week, and to my certain knowledge there have been great changes in that vicinity since. As has been already said, where the bound stone came between the two towns, my early recollection is, it was placed in a patch of low ground or swampy woodland, and I should think that the sand out beyond it was at least one hundred and fifty feet or more. That to-day is a sand hill, as has been said, fifteen feet, perhaps twenty-five feet high, right where the stone now is. It has had to be raised up twice, to my

knowledge, — lifted out of the sand to be raised to the surface. I said in my earliest days it was in a patch of low brush land, and no sand within one hundred and fifty feet of it. That is the point where the two towns join, and also in the early days of my recollection, perhaps twenty-four or twenty-five years ago, that stretch of land near the boundary between the two towns was very much higher than it is now, so that but very little of the sails of vessels passing up and down the back side of the cape could be seen. To-day their decks at high water, especially going down at high tide, are almost visible from down here, showing that there has been a general levelling of that sand for years, and the process is still going on. The same thing is taking place all along, not only at that point, but all the way to Race Point, and so back in the vicinity of Negro Head, and the gradual tendency is to move inward toward the town. It has been stated by a recent survey that vessels passing High Head, that is, the point that we see over in Truro, can see Long Point light as they pass up and down, especially at high water. When the tide is high it elevates them, of course, several feet. It was impossible to see it a few years ago; but it is claimed to-day that the lights have been seen from vessels passing up and down, showing the gradual tendency is the levelling of those sand hills all along the cape; and it is the same immediately back of here. As to the extent it has been cut in, I should say the statement made by the secretary first, of four or five hundred feet since the survey of Graham, would be a fair rate at which it is cutting; and of course that we desire most to have stopped, and we wish something done to prevent these wonderful changes. It is the opinion of a great many that this thing can be done. It is a question of money and means to do it, but I believe it is possible to devise a plan to redeem all this waste land back of us here, and make it a place very desirable to retain, simply going back to the land on the back side, and starting these trees that we have had suggested to us. There is a large number of trees that will grow in this sand, and will grow easily and luxuriantly, and I believe in the wisdom of starting the trees. I think it possible to redeem that whole tract of land, and cover it with a growth of wood that will preserve it. I think that question is being thoroughly investigated and thoroughly looked into. I believe it is possible to have good results from it. I am one who is not willing to surrender all that tract of land to the enemy, and I believe it can be redeemed, and I think the process suggested is the correct one.

Mr. ELIOT. — This gentleman who spoke is one of the assessors, I believe. I would like to ask him whether the town collects

taxes from these unoccupied province lands, or whether only those that are worked.

Mr. SMALL. — The assessments are laid only upon those that have been improved. There are cranberry bogs, and some of the lands that are nearer in towards the town; but upon those remote sections the assessment is laid only upon those that we consider of value, — the cranberry bogs, etc.

Mr. ELIOT. — You do not tax what they call in the country standing wood?

Mr. SMALL. — No, sir; not to any extent. I think not in the province land at all. Beyond the province lands there is some assessment laid; but the only assessment has been laid upon the lands back of here is upon those that have been improved in the shape of cranberry lands, and apportioned to the extent they are occupied.

Mr. ADAMS. — I will now call upon Judge Hopkins.

Hon. JAMES H. HOPKINS. — Mr. Chairman, the matter of the province land was brought most prominently to our attention last year by a petition to the Legislature, which was promoted by Mr. Felt, who is here, who was at that time a stranger in the town, a gentleman who came here and took considerable interest in the matter, and suggested the idea that the whole region might be laid out as a marine park, and presented a petition that something might be done. The petition went to the Legislature, and a hearing was had, which I did not attend, but was appointed by a committee of citizens to meet a legislative committee which came down here and looked over the land, and a great many of the committee were very much impressed with the project, although the chairman, Mr. Furnald, and one or two others, were not perfectly enthusiastic or in favor of doing anything. Two or three other members of the committee forced through this bill, and this bill put upon your Board of Trustees the duty of reporting some method of improving the land. The citizens of the town, of course, have had no right to act in town meeting perhaps on this matter; and so during the summer we called a meeting of all the citizens, and at that time a committee was chosen of fifteen of some of the more prominent men in the town. The members of that committee took such action as they could to help on the matter, and out of that committee of fifteen a smaller committee of five has been chosen of those who have more time to give, and to appear and represent their views before you this morning, and they have asked me, as the chairman of that committee, to state what their ideas are.

As you know, this is a large town. We have a large popu-

lation. We are a sea-coast town, and are visited in the summer by thousands of people. I believe the steamer "Longfellow" brings twenty-five thousand people here, and the Old Colony Railroad brings a great many more, how many I do not know, but a great many people come here; and as the years go by and the cape becomes a larger and larger summer resort, I suppose larger steamers are coming here, and more and more people will come. To many of the committee and to many people who have looked into this subject the most of this wooded land seems attractive for a summer resort for the people to come and see the woods and water, and to see the sand banks. The sand banks are of great interest, too. Mr. ———, the landscape artist, comes here almost every year, and Mr. Waterman also comes here, and last year I think Mr. ——— came here. These sand hills are of great interest to every one who comes here.

Mr. Felt, of course, has urged upon the Legislature a marine park, and that is a question for the landscape gardener, rather than for us, to talk about. If it is feasible, of course no one here would object, and we should be very glad to have it made into anything of that sort; but it has struck us more forcibly than anything else that this wooded land, this unimproved land, ought to be kept in the state it is. The State has always kept its title, and has always claimed it was of the utmost importance to hold onto the title because of the harbor. As you all know, we have one of the best harbors on the New England coast, and the harbor has got to be protected any way, and if we do not do it now, we have got to do it some time; and every committee of the State that has ever come here has always laid stress on that idea, that the harbor should be protected, and in order to do so the State should retain its title in the province lands. Now, of course, as is well known, all this land belongs to the State, and the Town Hill belongs to the State. Every house to the west of the eastern school-house sits on land that belongs to the State. It is no object to the State to retain the title to this land, but the general government will insist that the other land ought to be kept, for the sake of protecting the harbor. Now, the only thing before us this morning, I suppose, before the people of Provincetown at any rate, is to say to you through this committee, which, I think, represents the town, that we are very anxious to aid in any plan that you can suggest or devise that is going to protect the lands or that is going to make them attractive to the people of the State. Of course you, as Trustees of Public Reservations, have more interest, I suppose, in the lands of great cities, in the public parks of the city of Boston, and it is perhaps a little out of the

line upon which you accepted your duties ; and yet it is one put upon you, and the people here have felt that you are the proper body to act in this matter.

Here is a chance for a great wooded reservation. Now, I am not so terrified over the sand as some of the gentlemen are. We intend to live here, and this town is going on, notwithstanding the sand does move some. There is not any danger at present of its injuring the town. It comes in and goes out, and the tendency has been to come in four or five hundred feet in sixty years, but in the town proper the inroad of the sand is very small. All the inroads of sand mentioned this morning are down at the other end of the town, which is not province land.

Now, as to what you can do toward improving the land ; of course we are very anxious for you to make a beginning. We do not insist upon asking for any large sum of money. It has occurred to us, if you could recommend a system of roads through the land, through the most attractive part of it, to the beach, and over to the life-saving station, it would afford a very pretty park at small expense, and it would afford to the citizens of this town of five thousand inhabitants a source of enjoyment and instruction, and also, I suppose, to thousands of people that come here every year. As I say, there are over twenty thousand people who come here every year out of curiosity to see the town and sand hills, and if your trustees could report some kind of a bill laying out this land that is worthy of preservation, it will be of great good to us and undoubtedly to the people of the State. The expense need not be very large.

Of course there are certain equitable titles to the land. We have occupied it and improved it. We feel we own it, and if you take any land that belongs to us, the town of Provincetown would be very glad to meet the land damages. I do not see how there could be much, but I have no doubt the town of Provincetown, through appropriate legislation, would be willing to pay any land damage. The State might have its own land free from any equities that we might have, so the sole cost to the State would be the laying out a few roads ; and if you lay out a few roads, it will lead to other improvements that will protect the park land.

Now, you know the State has appointed an agent, and he is paid so much for each permit he grants ; and when the whole land is wasted and sods are carted off, his salary is not a very heavy inducement for him to improve the land. If the present condition is to go on, if a State agent is to be appointed, it seems to me personally at any rate the present system is wrong ; if the State cares for the land, and if the land is to be protected, he should be

made independent of the town. You do not know how hard a lawyer finds it to tackle his neighbor, and how hard any one in the town finds it to oppose his neighbors. The road commissioners are appointed by the town. The agent of the State, who, it is true, is appointed by the governor, is paid by the town, and it is not for his interest to tackle the road commissioners. He only gets a dollar a permit.

Mr. ADAMS. — He gets so much a day. His pay comes from the town, and probably he does not get any more than a dollar; but he gets so much per day, regulated by the statute, — three dollars a day. He gets about twelve dollars a year.

Mr. HOPKINS. — He gets about twelve or fifteen dollars a year, as I recollect, by the last report, and you can see how little attention he gives to it. To come back to what I started to say, which was this: This committee, which represents thoroughly the inhabitants of the town, is not here to suggest to you what you ought to do, but to say to you that we are anxious that you should do something for reclaiming or improving what land we have; and if you can also devise anything to keep the sand from encroaching upon it, we shall be glad. The main thing is to say that we are with this committee, and are willing to go before the Legislature and try to pass any report you shall make to the Legislature, if our aid will be of any value and it should be required.

There are other members of the committee who will endorse more eloquently what I have said to you. We are not competent to advise you. We are not landscape gardeners. Mr. Eliot knows about that more than we; but, if you can devise the plan, we are willing to furnish the energy to carry it to the Legislature.

The CHAIRMAN. — Is there any other member of this citizens' committee who would like to speak?

Mr. WIGGLESWORTH. — May I ask Judge Hopkins what form of legislation he would suggest to enable the authorities of the town to take such action as he has spoken of in paying land damages?

Mr. HOPKINS. — I suppose if you should report that it is desirable to improve a certain section of the land, a bill might be framed authorizing them to do so, and you might put in a section that the act should be acceptable to the town of Provincetown, and when accepted by the town that they should pay the land damages in a certain form, and perhaps the damages paid to the county commissioners. I have no doubt an act could be framed, which, being accepted by the town, would authorize the town to appropriate money for land damages. Mr. Parker could very well suggest a form.

Mr. PARKER. — A considerable portion of the waste land is

that part which has been ceded by the town of Truro. What would you say to that?

Mr. HOPKINS. — That is entirely out of the province lands. It is of no special concern to us, I suppose, although it may be to the owners of the land. It is not of great value except as a sand hill.

Mr. ELIOT. — Let me point out to you, Mr. Parker, perhaps you have not quite understood, but the lands called the province lands extend from here in the west as far as there, and still some of the town of Provincetown, some of the village and all that great body of waste land which lies outside the province lands to the east, are all in the same natural condition, but outside the jurisdiction, I may say, of this present investigation.

Mr. PARKER. — Those conditions do not extend much farther in that direction?

Mr. ELIOT. — No, they go about to the end of that map, and beyond that you strike the terra firma of Cape Cod.

The CHAIRMAN. — The trustees would be glad to hear from Mr. Jerome S. Smith.

Mr. JEROME S. SMITH. — Mr. Chairman and gentlemen of the Trustees of Public Reservations, I am pleased as a citizen of this town to be here to-day, for I believe that the ball is set in motion, and our land back here will be protected. Mr. Hopkins seemed to think that the trustees might devise some plan whereby this sand could be kept where it is. I think we, as citizens of the town, the people that cross this beach frequently, have a pretty good idea how to keep this sand out. I do not think there is any question in the mind of any citizen of the town but what the sand can be held where it is by the planting of trees. In fact, when anybody builds a house back here, he takes off the turf and digs his foundation, he comes to this same sand, and he protects it by planting trees, putting on a few ashes, or something of that kind. If we go back and get these trees that Mr. Gifford spoke of, the willow tree and silver oak tree, — in fact, we have a great variety of trees up here in the woods almost all of which grow and do well, — those trees which send up to the surface shoots from the roots would be the most advisable to set out, because then if the roots once get into the ground, they send up shoots so close together that they themselves form a barrier, and they form a protection. The foliage falling every year forms a soil, and it has been a question in the mind of a great many of putting a road out there and keeping it there. It is not a question of the road covering up; the road does not cover up. That has been my experience out on the outer hill. Running up this land here, it

does not cover up. It blows out. We put in ashes, and we find that it will remain there a considerable time. In fact, there is some there now, and it does seem as if a road might be put out there, and some such arrangement adopted similar to that of the Old Colony Railroad. They utilize their old ties by building snow fences. Now, this sand is very similar to snow, not as light, of course, but it really drifts; and there could be a road laid out there, and some cheap material like those ties which sell for two or three cents, and run out there for thirty feet, and at intervals of one or two hundred feet have another fence that would break off the current of air, and then you could set out these small trees which have been spoken of on each side, and they would grow and form a protection.

There has been something said here in regard to cattle. Now, I kept a few cows myself. I think in the days Mr. Gifford spoke of almost all the farmers kept a cow, did they not?

MR. GIFFORD. — There were a great many kept, as compared with the present time.

MR. SMITH. — Those cattle were turned loose, as I understand it, and they ranged round through the woods, and you know what that means. They destroyed lots of the trees, and broke up this turf on the top of the hill; consequently the sand would fill up. But to-day the greatest trouble we are having here is that which Mr. Hopkins spoke of, — the skinning this turf off, cutting these small trees down, which, I think, if this matter was brought before the people and they made to see that it was for their advantage that they must discontinue that way of making the roads, and cutting a little pitch pine for kindling-wood, that they would stop it. I do not think that it would be necessary to have more than one or two prosecutions made.

Now, these trees that we have down here on the hill back of Mr. Gifford's house, — that is a very elevated portion of the town; it is nothing but the same soil we have in the rest of the town; you dig down there, I guess four feet, and you will come to the same sand, so that demonstrates to the Board that the trees will grow.

I do not know of anything more I could say. It has all been made pretty plain that the sand is working in this way. I do not know as it has come in any more than five or six hundred feet in sixty years; but, if it has been sixty years in coming five hundred feet, I should predict it would come in twelve hundred feet in less time, because the road we use out here has become so abrupt that we shall have to go round by another way another year. I think a member of this Board was out there this spring, and there you

can see just the tops of trees sticking out, and they were fifteen or twenty feet tall; so that the sand is rolling in. There is no question about it. I do not know of any greater improvement than to make it easier to get there for those that come here, not so much for the people of the town, but there are thousands that come here every year, and they feel as if they had not seen Provincetown unless they had gone out to the back shore. We have a little chain of cranberry bogs running through here, but it would not cause any great land damage to run a road out here. This wooded land spoken of is, to be sure, mostly held by individuals, but not of any great value. They are not allowed to cut it, and I guess if the assessors should determine to lay much of a tax on it, perhaps they would relinquish their right very quickly, especially if they thought it was going to be improved any by a road. I guess that matter can be fixed very easily. I do not know that I have anything more to say that can be of interest.

Mr. WIGGLESWORTH. — I should like to ask a question in connection with one suggestion Mr. Smith made in regard to prosecutions. The statutes provide it shall be the duty of the agent to prosecute for the penalties mentioned in the case of taking turf without permission. The agent's entire salary, I understood Mr. Adams to say, was twelve or fifteen dollars last year. That would be four or five days' time. I do not know how many permits he granted during that time, but I should like to ask whether a good deal of cutting of sods and brush and trees has been done without permission, and if there have been any prosecutions, and, if so, how many?

Mr. SMITH. — I am not in the possession of knowledge to say how many prosecutions there have been; but I do know that the cutting of sods continually goes on, — the cutting goes on to-day. I presume they are carting sods, if not cutting. I do not think, in fact I know, they do not cut the wood as they did at one time. They used to cut considerable wood here, but it is not done now. I do not know of any prosecution. I think why they have not been prosecuted is because, as the judge says, it is pretty hard work to mix this whole business right here in the town, and the agent does not like to tackle his neighbor.

Mr. ADAMS. — If the committee will allow me, I will answer the question for Mr. Smith, that while Mr. Johnson was State agent, at one time I think there were fifteen prosecutions in one week of parties violating the law. Perhaps that was eight or ten years ago.

Mr. SMITH. — I might say there have been no prosecutions for the last ten years.

Mr. ADAMS. — No.

Mr. WIGGLESWORTH. — Can Mr. Adams state what the result of those prosecutions was? Did they check the trouble?

Mr. ADAMS. — For a time it was checked; yes, sir. I will now ask Mr. Heman S. Cook to address the committee for a few minutes.

Mr. HEMAN S. COOK. — Mr. Chairman and gentlemen, having had a life experience in the wrecking business, perhaps my experience of what I have observed may be of some benefit. My father followed the same business, and there was a wreck when I was ten or eleven years of age, and I went with him, and have followed the business until I became agent of the Boston Board of Underwriters. I have crossed the beach in the most inclement season, when the winds were highest and the storms were strongest, and from these observations I will give you what little I can recollect.

In my early boyhood days, at the age of twelve years, there was a brig came ashore here at this point, the brig "T. O. Thompson," loaded with hard pine flooring boards from the South. The cargo was saved here, and my father and others carted it across here at this point to the further slope of this hill, in the early spring, intending to bring it over here. This we carted across in the winter, I think in December. We heard it was being covered up. In the spring we went there to get it, and we never have found it from that day to this. The cargo of lumber now lies there close to this dike covered by the sand, and if any one wants a cargo of hard pine lumber, it is there now, and as the heir of my father I will give it to any one who wants it.

Now, my experience in regard to sands coming in here has been this. We will take the first road we come to here, which is Snail road; the next one is what is known as ———, and then comes Oak Head and Negro Head and ———. On all of these ridges without exception the sand is coming in in such quantity that in order to get from here out on the beach we have had to make a sharp turn either to the right or left, and make a new road where the sand does not come in; and some of these roads, the Atkins and Mayhew, and the old Race road especially, here have become abandoned because there is no way to get out there, the sand has come in here in such large quantities. I cannot say really how far. In a great many places perhaps it is more than it is in others; but it has certainly come in, and it seems as though it comes in only when the wind is north-west, for the simple reason that all of our storms that prevail in the winter time are south storms, and hence the snow invariably turns to rain. Now, when it turns

to rain it moistens the sand, and it does not blow, and it becomes like a rock. The only time we get sand coming in is when the wind is a north wind, and the sand is dry, — no other time. In a north-east storm the sand is covered with snow, and that stops the drift; so you see, gentlemen, the sand blows in seldom, but it blows out; and that is the point I want to impress upon your minds, — that it blows in instead of blows out.

Now, as far as the protection of this is concerned, I have only one idea. This line years ago extended to this point and stopped here. The water went way to here, I don't know how far away, but a mile or two. Along here by Mr. John Young's cranberry bog his heirs have planted a few willows or underbrush that have become an immense barrier of solid brush where sand cannot blow; and I would suggest that, to prevent this sand from blowing in, the best thing is to have a barrier on the windward or north part. In order to do this, gentlemen, it seems to me as though cotton-wood or the willow, which are very rapid-growing trees, should be planted along this section where it is very moist, on account of this land running in here forcing the fresh water in; and we might take the moisture here to establish a line two or three hundred feet wide, and the willow or cotton tree would be the best to protect this from coming in; and I have no idea but what in four or five years at least you would have a barrier which would be a protection in part. It would be a starting point. Take the foliage and let it fall. That will form a natural protection over the hills. That is all we have. We have trees growing and foliage falling, and it gives us a sod three inches thick.

There is one more point. When the Old Colony Railroad Company ran their road in here it was predicted by a great many people that in cutting through these hills it would be impossible to hold the sand. They did not expend any money. They put on a lot of ashes and rubbish, and a few tin cans, but they have no trouble in protecting the road and their cuts. It does not require a large amount of money. It seems to me if the State spent a small amount of money here (we do not ask thousands of dollars) it would accomplish what we need. I do not know as I have anything more to say.

MR. ELIOT. — May I ask Mr. Cook to name once more — I did not quite get it — the locality of that planting of willows beside a cranberry bog?

MR. COOK. — This extension of the Race Run is now fresh water. It is near the life-saving station at Peaked Hill.

MR. ELIOT. — It lies in the middle of the Race Run.

Mr. COOK. — Yes, sir.

Mr. ADAMS. — How far from the boundary?

Mr. COOK. — It is very near the boundary of Truro.

Mr. ADAMS. — The boundary does cross it, does it not?

Mr. COOK. — I think the boundary crosses it. There are several acres there; it is quite a large tract, and it has increased. They only planted a few, and now there are several acres. They only put a little in there, and there are several acres now, — quite a large product.

Mr. ELIOT. — Were these trees planted as cuttings, do you suppose?

Mr. COOK. — I think Mr. Young put them there as a protection for his bog.

Mr. ELIOT. — On the seaward side. Were they rooted trees or simply cuttings?

Mr. COOK. — Oh, no roots, but branches put in as you trim off trees, like one of these, and put them in.

Mr. ELIOT. — And they were put upon the seaward side of the bog?

Mr. COOK. — I think they were, but now they cover the bog all over in one part.

Mr. Adams then called upon Mr. Artemas P. Hannum.

Mr. ARTEMAS P. HANNUM. — What I can say would be only in corroboration of what has been said already. I have been here from a boy. I have worked in one place for thirty years. I remember when I first began there it was difficult to see these vessels going up and down the back side, while to-day you can see the lower part of the sail. In my rambles out through the woods I noticed the same effect that has been noticed by other gentlemen here, although they have figures, while I have only just what I have noticed. I can only say, in corroboration of Judge Hopkins, that I think the sentiment of the town is favorable toward any action that may be taken by these trustees in relation to the protection and beautifying of this section of the province lands. I think that it would be an easy matter, as has been stated, to build one or more roads that would connect the town with the outer beach. These fifty thousand people more or less that come here every year always inquire first for some way to get to the outer beach. It would be a matter of great pleasure to them and of profit to the people here, and a means of education to all, if they could get out to this outer beach. I have experimented somewhat in planting trees in sand. I find no difficulty in raising balm of gilead and silver leaf and the willow, those common light soft-wood trees. I did try one experiment which

was not very successful, which Mr. Smith has already spoken of. We thought we would raise some valuable wood, and we tried the catalpa. That we have not been very successful in, although we had some; but with those other light trees I have had no difficulty; and I think, as Mr. Cook has said, that the whole region could be protected at no great expense by planting trees. I think the roads that might be built could be protected in the same way, as they will easily grow after being once started.

(A question was asked Mr. Hannum about building roads, which the stenographer was unable to catch.)

Mr. HANNUM. — I am hardly an authority for building roads, but the common way has been to lay these sods on the sand and cover the sods with clay. All the roads we have were constructed in that way. The hard material has all to be imported from the outside.

Mr. GREEN. — Would it be possible, in your judgment, in laying out these roads, to construct them in such directions and under such conditions, sheltered from dunes, and related to the ordinary currents, winds and so on, that they would be kept clear by the natural action of the wind in large part without needing protection?

Mr. HANNUM. — I think so. I do not believe it would be a difficult matter to keep those roads.

Mr. GREEN. — It would depend, I suppose, very much upon the position of that part of the road with relation to the sand hill, and there would have to be some discretion.

Mr. HANNUM. — I suppose a practical man could make it, and do much toward keeping it in repair by the way he laid his road out; but in some portions it could be very easily protected by trees, or, as has been suggested here, as the railroad protect their road, by putting up a fence.

Mr. WIGGLESWORTH. — It has been said that the railroad used ashes, I think, in part in preventing the sand from drifting. Could ashes be used on these roads to any advantage?

Mr. HANNUM. — I think that statement was made in relation to some of the cuts and fills. They have put on ashes, of which they have a good many. Almost anything will hold this sand, if it is covered with anything that is heavy enough, like ashes or refuse that comes from the engine-house.

Mr. GIFFORD. — Mr. Chairman, in reference to that point, a great many of us think this use of sod is not an economical way of making a road. It does not last a great while. They are easily cut through, and in some instances they are nearly destroyed before the clay or loam is put on. One cartload of the cinders from the

engine-house is worth, in my judgment, several loads of sods. The sods when new contain some fine roots and fibres; they are vegetable; they are very loose, and they are very poor quality for the purpose for which they are used.

Mr. HOPKINS. — One fact has occurred to me from what Mr. Hannum said. I was talking with Mr. Francis Miller, a gentleman at the other end of the town, who has one of the best lawns in town. I asked him how he got such a lawn. He said it was full of beach grass when he was a young man, and he resorted to every means of destroying it. A body of grass would come in, and he once dropped some ashes by accident on a portion of it, and the next year he noticed the grass coming through it. He said that was the only way to kill the grass. I have noticed it myself, and I think out on the beach, by spreading ashes on the road, it would accomplish the same thing there.

Mr. ELIOT. — I have seen sands treated in the same way, where there was an inch or half an inch of soil put on, and then brush just laid on the top, with the leaves on; even without the sowing of seed it will bring in weeds and gradually grass. That has been done over and over again on the south coast of Long Island.

The CHAIRMAN. — Well, gentlemen, we shall be glad to have you improve the time.

Mr. CHARLES W. FELT. — Gentlemen, I hardly know how to begin. Of course there is a good deal that I want to say. I feel interested. I came here two years ago with a perfect contempt for Cape Cod, as most of the people of Massachusetts have to-day. I knew there were some very excellent people here, because I knew them some thirty years ago, when my attention was attracted at once by two points. One was, I borrowed a book, and that told me what I knew before, but told me more extensively about the landing of the Pilgrims; and it seems to me that that question really comes before the trustees, for I believe that the original purpose of your Board was in reference to historical matters. I remember two or three times of going to Worcester to see my friend Mr. Green. I could not find him, for he was in Boston. He told me when he came back he went to help form an association in regard to historical points, with particular reference to works of the Revolution out in Roxbury. I am glad, however, that this work has been extended to the idea of reservations; and my attention was about the same time attracted to this matter of the province lands. So far as the Pilgrims were concerned, I did not see that outsiders could do anything until a local association had been formed here, which I am glad to see has been formed. But about a year ago it seemed to me as if

some real actual work ought to be taken up, and could be taken up about these province lands, and it ought to be on the basis of a complete abandonment of the idea that the State should release its claim here. any part of it. and that idea has been strengthened as I have gone along. I find I differ somewhat from the opinions that have been expressed so far. It has seemed to some as if the State should release its claim, but I think not. But I would like to speak this morning — and I suppose there is not a great deal of time now before you adjourn — on this one point.

It seems to be assumed that the trustees have nothing to do with anything east of that line. Now, I would like to ask the question, what is the use of improving the province lands, if the land adjoining is not improved also? That line is simply an accidental line. This line was drawn because Truro, when they were reaching out for land and were land hungry, went perhaps as far as that point, and they came too far. It has been receding ever since. It seems to me the first question is clearly making it a reservation. Why do you have it? I hold it is a necessity, for, if this land can be controlled, — and I have no doubt it can be controlled, — it cannot be controlled as private land; and if this land [indicating on map] cannot be controlled as private land, this [indicating] cannot be. Now, if you are going to make a comprehensive report, it seems to me that you have got to consider the question of this border. What are you going to have on that land? I do not know much about the province lands, although I am interested in the subject, for the reason I have been attracted down this way, and I have been studying the past year or two for some border, and it seems to me it is not a border defined by political geography, but by physical geography. It seems to me we have got to consider where you are going to end, how far up Cape Cod you have got to go. During the two years that I have spent down here, I have examined the territory along over here, and there are no silver leaf and willows. I think you will find there are some other reservations farther up the cape, but that you cannot consider now. The question is, how much must be added to this reservation; and I take the ground that there should be nothing taken from the reservation, but something added to it. Now, here this belongs, I believe, out to there to the general government. This belongs to the State of Massachusetts, of course, admitting every claim of private use, and this belongs to private owners, but this land is in precisely the same condition as that. Private owners cannot do anything with it. The State of Massachusetts must, or the nation.

Now, how far shall we go? I think we may assume that this may be extended about as far as the soil continues the same.

I was sorry to be late this morning, but we went down to the High Head life-saving station, and I wanted to point out to two of the gentlemen that it was necessary to go still farther. Fortunately the map above shows the point. Here is High Head. That, as I understand, was the original limit of Cape Cod, and at this point we saw this morning the last stone on Cape Cod, a stone of about that size [indicating]. All above here is sand. I suppose this is a later formation, and has been washed up out of the sea, and it requires a certain amount of protection. The protection is attempted here, and it seems to me that you must attempt it here. Now, how far are you going? My idea is that the public reservation should come down to that point. This does not need to be a public reservation, but up around here and down to about there, pretty near to the Highland light saving station, should be a public reservation. Well, I do not mean to say that this private land should be bought up by the State. I do not think there is the slightest necessity for that, but I do think that the Trustees of Public Reservations should make some inquiry about how it may be done. As an individual, I have gone as far as I have dared to without being open to the charge of interference. Three prominent owners here have signified their willingness to do almost anything that is proper. One said he would give to the State. It seems to me that there is an opportunity for inquiry that you ought to make, if you are going to make a comprehensive report; and the idea should be that while you are treating of these province lands the adjoining lands must be arranged for in some way; and of course you are ready to receive any proposition, but you cannot go as far as that without having some idea of what sort of a plan would be entertained by those owners. Of course you encounter on Cape Cod, as you do everywhere else, this idea, that if a man has a piece of land and anybody wants it, its value at once increases; but, on the other hand, we now see a very generous spirit, a disposition to favor the work of the trustees in a spirit of real unselfishness. It seems to me no time should be lost in coming to some understanding.

In regard to this, I think this has been a matter of lawsuit with some individuals, but down here is sand. When you get down here, the grass land comes right up here to this Highland light. The grass comes right up to a place one hundred and forty feet high. I wish we could have gone down there this morning and traced it out; but somewhere there in that meadow a system of drainage could be devised by which this could be drained into the harbor, and of course improve that private land. I suppose the difficulty would be this: There are a great many private owners

in there, and they will never unite upon any plan; but I believe if the trustees would devise a plan, I have reason to believe the owners would come into it. Here are the original meadow lands, here the farming lands, and here is important town territory, of which I need say nothing. But I cannot see, gentlemen, how you can avoid considering that the true reservation is defined by the physical geography, and must reach down to those points.

Then there is another point upon which I will touch. Judge Hopkins said how unpleasant it is to differ with anybody. I do not like to differ even with him, but I suppose I shall have to on this matter of land, because the question is, what is best? It seems to me the great trouble with the Provincetown people for a good many years has been the idea of getting a release from the State. It does not seem to me it is going to do the slightest possible good, and it will be all the better without it. It has been my fortune to go twice to England, and I have lived there for four years. I have seen something of the English system of owning land, and buying land, and taking land. That system has its advantages as well as its disadvantages. If it is paying the income of the land to non-residents, that is one thing; but if we can get all the advantages of the lease system, and not pay lease money to non-residents, those advantages are very great. It seems to me that if the — I merely throw this out in general, because at another time perhaps if there is a disposition to lease this land the matter will be presented by some one much better acquainted with it than I am — but it does seem to me if the inhabitants of Provincetown should consent to a plan of acknowledging the State's ownership, — and I think the same thing should be carried along here as well as along there, — and then have a system of leases so that the lease money goes to pay taxes, that there we would have a system which would be superior to any other possible device.

Now, as soon as I talk that, you will say, "Why, you are a disciple of Henry George." Now, I never saw Henry George. I do not know that I ever read a line that he wrote, and I do not care one snap about Henry George. If he has devised a good plan, let us have it; let us get the most of it. I take this idea from the fact that Salisbury beach has had for fifty or seventy-five years the most successful system of leases; that the system of leases has also been successfully established on Salem Neck and Marblehead Neck, and I believe it is to a certain extent in operation at ——— to-day. I believe by a system of leases along this beach, and along here, and along this, this beach property could be brought into the market upon terms favorable to the people

and to better advantage than in any other way; and I have some of the best adverse testimony, if I may use that phrase, from certain parties who objected to my talking about leasing seashore land. They had seashore land to sell, and they said it was putting an idea into people's heads that they never thought of before. Well, I thought if it was a good idea, and they acknowledged it, and it was injuring their business, that was rather in its favor. I think if you will follow this out you will find that the lease system is really the better one, and there is nothing to be gained by a release from the State.

Then, in regard to certain claims here. It is proposed that Provincetown should settle that with its own residents, — something of that sort. Of course, if that is the best way, I do not object to it; but it does seem to me that the point should be raised, in asking the Provincetown people what they would do in regard to this matter which was brought up by a legislative committee, when a petition was sent on that particular basis. It seems to me the work that Provincetown should do especially is to make its own highways, that are at present in not as good condition as they might be along here. We rode over this road this morning, and there are certainly some pretty bad spots. Then there is this street from above Bradford street which requires some improvement. Then it seems to me Town Hill requires a good deal to be done to it.

I do not care to say anything more just now. I suppose you will have a hearing this afternoon, and I want to say something about money. I want to say this about money. The idea seems to be that this can be done in a cheap way. I do not believe it can. There is a highway commission that has been down here, and it has examined the roads of the State, and that highway commission is promoted really by the bicycle interest, which has determined to have good roads; and it seems to me it is no use talking about any road in Provincetown that is not a good one. I quite agree with Mr. Gifford and the other gentlemen who talk about the miserable stuff our roads are made of. I happen to have a farm in a portion of the Commonwealth where we have good solid ground, and I know what a good solid road is. I know the difference between building a road there and building it on a sandy foundation. I cannot see any way except for the State of Massachusetts to put in some money, and I am ready to say how much, if my opinion is asked. I believe you have got to import material. At this time, when it is dry, a clay road will do very well, but we need roads that will be good all the year round. I

like to come here and walk, but I do not like to walk on clay roads. They are miserable roads in the winter-time.

Perhaps, gentlemen, I have said enough now. I feel very much interested in this subject, and won't talk further; but I do want this point considered, that the reservation cannot practically stop at this line, and has got to be extended.

Mr. GIFFORD. — Mr. Chairman, so far as the views of my friend here on the left are concerned in relation to the title of the Commonwealth, whenever the town has said anything about that, it has been opposed to changing the title, so that there is no question in relation to that point; and as to the extension of the road so as to take in that portion of Truro nearly down to the light-house or at High Head, and all that sort of thing, it seems to me that, if any improvement or protection is needed there, the general government is the party who ought to be called upon to do it. I presume that that project is entirely beyond the scope of the authority of this commission. They are called upon, as I understand, to report upon the reservation here in relation to a park, and they have in this matter the land of the Commonwealth upon which to base their proposition. and not to trench upon land outside of that. Provincetown as a town owns considerable territory to the east, you can see how much, at least one-third part of it. They do not ask you to spend money there, that portion, simply as it affects the harbor, and upon which the Commonwealth has not so much interest, or no more than the general government; and the duty of the United States government is to spend money in protecting that portion of the harbor, and therefore it seems to me that the action and consideration of the trustees should be confined to the Commonwealth land; and if what they do there should prove a success, that might be a reason for extending it at some future time, although I think there would be very little prospect of so doing; therefore, I wish to say that, so far as the gentlemen's views are concerned about extending that down to High Head, it does not, in my judgment, represent the views of Provincetown.

Mr. FELT. — Mr. Chairman, I would like to ask Mr. Gifford a question.

The CHAIRMAN. — Yes, sir.

Mr. FELT. — Of course I do not say what I have said represents the views of Provincetown, but is not the general relation of the government to this matter to be considered by the trustees? Have we not got to consider the whole thing as one?

Mr. GIFFORD. — Mr. Chairman, if this matter involves too great an outlay for the object, it is possible, of course, that the

general government would be called upon to prevent the inroads of the sand so far as it endangers the harbor, and nothing more.

Mr. FELT. — Mr. Chairman, if I may say a word more, it seems to me that the question of protecting the public reservations may do very well as a starting point, but I think the whole matter should be taken up. There is one point I meant to have spoken about, which is this. It may be the question that I have introduced would put too much burden on your Board. It seems to me that this subject is really larger than the province land. It may be well to have perhaps an advisory board of certain gentlemen who are interested in this matter, and who will take up the whole subject. It does not alarm me in the least that these ideas are opposed. I remember a year ago, when I first spoke of this plan, it hardly met with favor from anybody, and it is certainly very encouraging to find in one year there is so much interest as there is to-day; but it seems to me it is impossible to avoid considering the whole matter.

Mr. SMALL. — It seems to me that in considering this matter we should be very careful not to take in more than we can swallow. We are interested in the province land, and we should not allow the impression to go abroad that we want to take in the whole cape. I am particularly interested in this province land. The line has been very distinctly drawn, showing where the boundary is. Now, it may be suggested that it would be useless to improve these lands here without improving this also. I apprehend there is no danger, from the fact that the prevailing winds are south, for if this was improved there would not be any injury resulting from the land being unimproved here; and by the natural condition of things, if this was a success, that would naturally follow in the line of improvement. If the private individuals did not improve it themselves, there would be means of improving it, and the improvement would come. I think we ought to confine ourselves to province land, and I think we are asking as much as we ought to ask when we ask to have this protected, and I hope the impression won't go abroad that we want to take in the whole of Cape Cod.

Recess until one o'clock.

AFTERNOON SESSION.

The hearing was resumed at one o'clock.

The CHAIRMAN. — Now, gentlemen, if you will give your attention, I think the trustees would like to hear from Mr. Adams.

Mr. ADAMS. — Mr. Chairman and gentlemen, I made inquiries, and I think there are no more citizens of Provincetown that desire

to be heard in this matter, and therefore I should not think it desirable for you to wait over until to-morrow morning. What I have to say will occupy but a very little time, and I will be as concise as possible.

In the first place, as I understand the act under which your Board is working, you are authorized to make maps and plans of that part of the province lands in Provincetown which are unoccupied by buildings, and to get such other information as you may deem expedient. Unfortunately perhaps for the people of Provincetown, this act was rushed through the Legislature in the very last days of the session, and perhaps works a little to the detriment of their interest. It is at least unfortunate that in the survey which you have been lately making of the lands unoccupied by buildings, the survey of the lands which are occupied for business purposes and residences has not been represented upon a map; but of course I realize the difficulties in the way of the act under which you are working, and perhaps I better not say anything more about that.

As far as the matter of the encroachment of the sand is concerned, your committee have had a very full hearing on that, and perhaps I can add nothing to what has already been said on that matter. There is, however, a serious question, a question that has been agitated a great many years, concerning the Commonwealth's title in this land. It is a matter which, it seems to me, your committee should take into consideration, and should make some recommendation to the Legislature regarding the same. For instance, Judge Aldrich, at the last term of the court held at Provincetown, in a suit that was brought to try the title to land in this town, refused to recognize at all the title of the Commonwealth to this property, — would not allow it to be entered in the suit at all.

Mr. WIGGLESWORTH. — May I interrupt you a moment? Was not the point in that case this: Judge Aldrich said the question of the State's rights did not come up at all; it was between two individuals, and, as between two individuals, one had the better title; but I do not think Judge Aldrich said anything to throw any doubt on the State's title. He said the State's title did not arise in the case, but that, as between the two who appeared there, the one had the better title.

Mr. ADAMS. — My impression is that he refused to allow them to put anything in concerning the title of the Commonwealth; but what I mean is this: it is a matter of dispute, a matter of argument, and it does seem to me it is a question that your committee should look into, and my idea is that the Commonwealth should release to the town that part which is occupied for business pur-

poses and residences, and then they should protect their interest in the outlying parts of this place. It is a fact that ever since this was incorporated as a town, notwithstanding that the State claims the title to the land, annually in making up their valuation or in making up the State tax, Provincetown is treated just the same as all the other towns in the Commonwealth of Massachusetts; that is, her valuation is added with the valuation of the other towns all over the Commonwealth, and every year when the apportionment is made up by the Legislature, the tax commissioner makes up an apportionment, and Provincetown is apportioned her part according to the valuation; so it does not look like a good business proposition for the Commonwealth to put an assessment of taxes upon property which virtually they say belongs to themselves. It seems to me it is a question which should be settled; and I think the easiest way out of the difficulty would be for the Commonwealth to deed to the town that part which is occupied and which has a taxable value.

Now, in regard to this matter of a State agent. Of course you gentlemen can readily see that it is really a farce, the way the law stands now, the Governor appointing a man as State agent in this town, and the town paying him the pittance of three dollars a day when he is employed. I think the statute reads there shall be paid from the treasury of Provincetown three dollars for each day he is employed. The report last year will give you a fair illustration of that. The State agent was paid for five days' work, fifteen dollars; then he granted four permits, four dollars. Of course the salary is not enough to make a man look after these things. Probably instead of four there were four times four, forty-four; but he does not pay the attention to it that the office demands, and it seems to me, if the Commonwealth has any property here of any value, they can afford to employ an agent and pay him a fair salary for looking after their property.

That is about what was in my mind to bring out. Of course you gentlemen have looked up the matter of province laws and province lands, and, if you look back to the time when the first law was passed, you will see the whole idea of the Commonwealth has been not only to protect the land, but also to protect the harbor. This is the most valuable harbor on the New England coast; probably there is no harbor in the United States that compares with Provincetown harbor. My opinion is (perhaps Mr. Gifford can tell you more about that) the Commonwealth did have agents here who planted grass to preserve this land, to what extent I do not know, because I did not reside here. That really shows this much about the land on which the sand is encroach-

ing. Now, any one can ascertain by viewing the premises that the sand is encroaching upon the township, and that very rapidly. How long that has been going on I am unable to say, because none of the citizens of the town of Provincetown have any occasion to go out there. They are busy with their daily work, and very seldom go out to that part of it. I think that is all I have to say to the committee. I am much obliged for your attention.

The CHAIRMAN. — Would any gentleman like to ask Mr. Adams any questions?

Mr. CHASE. — Mr. Adams, have you any knowledge of the cost of building roads through these sand hills?

Mr. ADAMS. — No, I have not, Mr. Chase. The fact is, all the roads we have built since I have been on the Board have been in the township, which were easy. It is much easier building roads here than in any other part of the Commonwealth, because there is no hard substance that you run afoul of.

Mr. GIFFORD. — Mr. Chairman, a gentleman here, Mr. Cook, made a contract for a road right in the town last week, some six hundred feet, and he will tell you about what it cost.

Mr. COOK. — The road was to be graded and hardened and brushed, and a bulkhead built on the west side for one hundred and twenty-seven feet, for one hundred and fifty dollars. They were to do the whole thing two feet high, they to furnish all the material, and to do the thing satisfactory to the commissioners, for one hundred and fifty dollars.

The CHAIRMAN. — That was six hundred feet?

Mr. COOK. — I have not the exact figures, but about that. I only guess at that. I should think it might be.

Mr. ADAMS. — That road is about eighteen feet wide, isn't it?

Mr. COOK. — They call it twenty feet wide.

The CHAIRMAN. — About five dollars a rod or perch. Now, did that include a covering of loam or —

Mr. COOK. — It was to be graded, then heavily brushed, and then sodded. I would say that the gentlemen that have taken the bargain would be willing to do it for twenty-five dollars less, and I think the same thing can be done for a hundred dollars. They have a better idea of what it costs.

Mr. ADAMS. — Will you explain to the committee the idea of laying down these brush, — why the brush are laid down first?

Mr. COOK. — The brush are laid down so the sods won't crowd down into the sand. It gives a kind of foundation. They go and cut the brush off first, and put the sod on top.

Mr. ADAMS. — Then all this is covered with clay, gentlemen.

The CHAIRMAN. — That is a surface road?

Mr. ADAMS. — That is one of our roads right in the town.

The CHAIRMAN. — Does an engineer give you a grade? Do you have to cut and fill?

Mr. COOK. — Yes, there is a grade to it. It had to be filled some three or four feet, and a cut some six feet.

Mr. ADAMS. — I will say that the engineer who made the survey was Mr. McClintock. He surveyed it for us.

Mr. ELIOT. — Mr. Chairman, may I ask Mr. Adams a question with reference to the practice under the law in reference to paying the State's agent? As I remember reading the law, there was nothing in it about three dollars a day. There was only a provision for one dollar per permit. Have you any recollection about any other additional legislation?

Mr. ADAMS. — My impression is from reading the law that the State agent should charge one dollar per day for all permits granted, and that he should be paid for his services by the town of Provincetown. I have the impression it was three dollars a day. I may be mistaken about that.

The CHAIRMAN. — That is a matter regulated entirely by the selectmen, perhaps?

Mr. ADAMS. — Yes, sir.

Mr. WIGGLESWORTH. — Here is the act of 1854, which I will read.

(Act of 1854, section 2, Senate Document No. 5, read.)

Mr. ELIOT. — That would seem to indicate that this entry in the town account of paid out four dollars to the State agent for permits, — that those were permits granted to the town.

Mr. ADAMS. — That is, received by the town. That is the debtor side, you see. We paid it into that department. We *received* four dollars; but if you turn over to the other page, where we paid him a salary, on the other side —

Mr. ELIOT. — It seems to me there has some custom grown up there which is not regarded in the statute.

Mr. ADAMS. — It does not say what his salary is.

Mr. ELIOT. — It does not say anything about a salary, only a dollar for each permit.

Mr. ADAMS. — The party pays him a dollar, which he must pay into the town treasury.

(Chapter 218 of the Acts of 1869, section 2, was read.)

The CHAIRMAN. — Mr. Rich, do you wish to speak upon this question of province lands?

Mr. RICH. — No. The time seems to be rather limited, is it not now?

The CHAIRMAN. — Well, I do not know how long a speech you want to make, I am sure. The time is at your disposal now.

Mr. RICH. — I am very grateful to the committee for an invitation to be here, and also to say something on this subject. It interests me. I come from Truro. I am a summer resident of Truro. I am a native of Truro, and I have a great many interests in Truro, and I also have an interest in Provincetown and in Cape Cod, and am to the manner born. I am interested in everything that interests Cape Cod, as well as the State also ; and in a matter of so much importance as this I should feel I was not true to myself not to feel largely interested in it ; but, slipping along over the points that I would gladly make if I did not feel your time was limited so much, I will confine myself, I think, in what I have to say more to my own experience.

The first remark perhaps will be in regard to that map before me, that when Truro was organized, at the first organization of the proprietors in 1703, the first act and the first law that they passed was appointing a committee to investigate and report upon some action to stop the depredations upon the lands, the wood being cut down on East Harbor meadows or East Harbor lands. And, to explain that more fully, I should say that, although Truro had not been organized as a town, yet Provincetown, or Cape Cod, as it was always known at that time, had been a great resort for fishermen ; and John Smith reports that five hundred sail of fishermen had rendezvoused at Provincetown previous to the time he was there prior to the time of the Pilgrims. These fishermen ran into Provincetown and had their bacchanalia. They were buccaneers, almost kings of the ocean, and they began the slaughter of these native woods, with which the hills were all covered. Truro had been settled a long time by its squatter settlement, but not recognized as a government ; and it is proper to say the depredations which had been committed upon these lands, exposing them to the wind, have brought about what you see here to-day. Now, here, one hundred years ago, there was a creek called Stout's creek, and which emptied at a point there. It had its proprietors and lands, and the meadow was mown every year, and considered a large investment for the people of Truro, and the people paid taxes on it. There is not to-day a single vestige of anything that existed there. In my boyhood I remember the creek. There were different houses there. I know the names of the people that lived there, and now there is no mark of anything there. That was less than one hundred years ago, and that shows how this land has been stripped. Of course there is a great deal of history involved in running over those remarks, but the whole history of

Truro shows that. And, further, this land here when Truro settled it embraced the whole of Provincetown. This was all called Cape Cod, and they came down here and settled, and the Truro people sent a missionary to Provincetown — I do not suppose they need one now — to enlighten the people and preach to the natives. That [indicating] is the original line of Provincetown. That line there, I think, was the first original line to divide Cape Cod, and then the State, after Truro relinquished so much, took that. Long since I can remember Truro collected taxes of the eastern people of Provincetown a long time. They took the line over here and over here through this land along this beach. About twenty-five years ago a friend of mine and myself were passing along there, and the government was spending a good deal of money. He said, "The government is spending, wasting, ten thousand dollars, and next year there won't be five cents' worth left." The next year I came there, and, true enough, there was not five cents' worth left. The next thing was to build out this wall to suppress the tide here. It was passing rapidly over into East Harbor. When they cut off this tide-water up through East Harbor, the result was that it threw off these meadows here. I have seen when a boy ten or fifteen vessels hauled up on the sand where there is now a marsh. It is growing up solid all the time.

Now, to hurriedly express myself further in regard to my experience, twenty-nine years ago I went over to Truro to my old paternal home, and began to buy the next lot to me, and I have been buying the next lot ever since; and I set myself at once to improving the roads and improving the upper lands. I was working then single-handed, and my experience has been that with a very little help a great amount can be accomplished, with little labor and little money. My experience is, that, if I had such a property as that to cover, the first thing would be to lay out a path, cut off the turf, and lay it down first. Then you take this oak brush, as we call it, which grows on the cape shores, and wherever you lay a brush that is covered with leaves you have a perfect protection. No sand will move after you lay the brush. It will catch the dust and catch the weeds; it will catch anything that grows along, and in a year or two it becomes all solid. It will never move after that. In that way, laying out a path or a road with turf about six inches deep, it is effective, and covers the whole ground forever after that. Of course it is broken up by travel more or less. Then you lay the brush out on either side, and that protects it thoroughly and securely, keeping the sand from moving. I have never known sand to move where brush

was laid down on the sand, never; it seems to be an effectual barrier.

Further than that, I have also set out trees, taken an acre of land and planted pines right in the sand. These pines struggle up in the sand, and after a while scatter their seeds, which are blown by the winds, and increase, and they cover that ground so that it is protected. In this little experience that I have had, I have dug a barren sand bank, making it ten feet high, and put this brush on it, and in two years you get a pretty solid bank right over the sand; and, taking that practical view from my own experience of twenty-six years that I have been at work more or less in Truro, I have raised a forest that is quite beautiful to behold. I wish some of you gentlemen here could have looked upon it yesterday morning as I did from the hill when the sun was shining down upon it, and could have seen the gorgeous tints that were thrown out in that beautiful valley. It was the most gorgeous scene I have witnessed in my life. You would have never thought it was on Cape Cod. The colors were grand beyond anything I can describe to you. I have travelled a great deal and have looked upon beautiful objects, but that was as beautiful as anything I ever saw. Perhaps I am a little prejudiced about the matter, but my wife and I stood there and enjoyed the beautiful view which met our gaze.

I will say no more at this time, but as I looked upon that map to-day, I thought of an old writer who says that in approaching Race Point up here the scene is far superior to Alexandria. He says the Egyptian shores are not as favorable to approach as Cape Cod. It reminds him, he says, more particularly of Holland; and we who have read Motley's story of the great siege of Leyden are not surprised that these Hollanders who came here, actuated by their zeal, associated it as they have with Leyden, with the sands of Holland, and they seemed to be at home when they saw these great trees on the high ground, before they were destroyed. Yesterday morning as I walked over the breezy hills there, I did not wonder that our late Francis Higginson said one breath of New England air was better than a quaff of old English ale. It is true enough that we get here pure water and pure air and pure sand.

Mr. WIGGLESWORTH. — May I ask you what the work was of which you spoke where you say there was a waste of ten thousand dollars?

Mr. RICH. — That was some work laid out by the government, the building of a sea-wall along to prevent the encroachments of the tide. There was a prospect at that time of letting the tide

through into East Harbor meadows here, and so they put up this wall on the outer side.

The CHAIRMAN. — That was spoken of by Mr. Gifford this morning.

Mr. RICH. — The work up there by General Foster accomplished a very good result. The work went inside, and the carriages had to drive round in here. The result was this dyke added more than one-half to the substance of the point, and it has remained there ever since.

Mr. SMALL. — Mr. Chairman, I would like to give my testimony in favor of what Mr. Rich has said. I have a distinct recollection of these works being put there by the government as an experiment, and it proved unsuccessful. The next plan that was adopted was the jetty plan. Before the jetty plan —

Mr. RICH. — If the gentleman will give way, I suppose it was the work constructed by General Benham that preceded the one he has reference to.

Mr. SMALL. — Yes. It all washed away; it did not operate; and the next work adopted was the jetty work plan, which was a success. I will say, in relation to the jetty work, the town of Provincetown has projected its highway down here to the boundary line. We have a system of jetty works on the plan that was adopted by the government. We have imitated that, and it has worked successfully. After we have put down those jetties, they will accumulate sand wherever you put them; but, as was stated this forenoon, where you break it off at the end, there the sand will break in again, but a further extension, it seems to me, will be a success.

Mr. RICH. — I might remark also I remember sixty years of the coast line east of my house. Bradford Torrey wrote a description of Dyer's Hollow, which was published in the "Atlantic." That was described as my neighborhood where I live. It is a very beautiful description, and he refers to the line there. I specially noticed it the day before yesterday, and it moves every few years. The surf continually encroaches on it. There is a difference of opinion about it, but I have had a practical and thorough knowledge of it for sixty years. The encroachment has been but little more than a foot a year for sixty years. They say Cape Cod will be washed away. That is sure as fate; but you can calculate, from the extent it has moved in sixty years, that it would take about seventy-five thousand years for it to wash away. That is about as long as our interest would run in it, probably.

Mr. GIFFORD. — Will Mr. Rich state whether or not this encroachment is on the Atlantic side?

Mr. RICH. — Yes; on the Atlantic side.

The CHAIRMAN. — Is there any gentleman from Provincetown who has not been heard, or is there any Provincetown gentleman who desires to offer any additional testimony or contribute any narration of the past?

Mr. ELIOT. — I should like to ask Mr. Adams one question, — as to the point you made, Mr. Adams, concerning the title to the occupied lands, house-lots and so on. You spoke as if you thought there might be a possibility of treating that portion of the province lands differently from the unoccupied or wild portion. I suppose that that means that you have had in mind the possibility of a line being drawn somewhere dividing what you would like to have the State yield to the town from what you would like to have the State continue to hold and improve.

Mr. ADAMS. — That was my idea. My idea is, this property which the State sees after should be released to the town, and this other waste land out back, the wood land, there should be a line drawn, the State should establish a line, and that part which is occupied by buildings, dwellings, etc., should be released to the town; and then, on the other hand, this unoccupied land the State could continue to control and rent those, if you could build roads to get out there to take care of them.

Mr. ELIOT. — And the ground of that devolving upon the Commonwealth is the importance of the harbor to the Commonwealth?

Mr. ADAMS. — Yes, sir.

Mr. HOPKINS. — Mr. Chairman, should the committee consider that the title should be changed, it could be done very easily by repealing the last section of the law of 1854. I think the law of 1854 provides that no one shall acquire a title against the Commonwealth by adverse possession. If that act were repealed, I think each one of us would acquire the title of his own land by adverse possession. That act of 1854 was passed to prevent the title running out. Soon after the Revised Statutes were passed that law was changed, and that was in 1837, and the twenty years were running out in 1854, and then that act was passed so that no title should be acquired by adverse possession. If that part of the act was repealed, each claimant could get his title. That would seem to be the very best way to accomplish it.

Mr. GREEN. — The effect of repealing that statute would be as though it had never been, and consequently the title by occupancy would be already perfected. That would settle all disputes.

Every one who had occupied for twenty years up to that time would be sure of his title.

The CHAIRMAN. — What you want to state is that it would not require twenty years' further possession in order to perfect the title?

Mr. GREEN. — Yes, sir.

Mr. ELIOT. — That would be preferable, in your opinion, to an act which should do for Provincetown what the State and the province did generally for all the towns of the Commonwealth; namely, give them the land in the first place?

Mr. HOPKINS. — Yes, that was my idea.

Mr. ELIOT. — The ordinary act setting up a town in Massachusetts, if I remember rightly, began with the grant of land from the General Court to a body of inhabitants, which body of inhabitants then divided up the land; but in the case of Provincetown that grant of land was omitted, — all the other titles and privileges were given, but the land was withheld. Whether the difficulty, then, could be better solved by simply repealing that provision of the act of 1854 or by passing a new act out and out granting to the town the land, or all the rights of the Commonwealth in the land, might be a question for study.

Mr. HOPKINS. — Yes.

Mr. PARKER. — Suppose the statute was repealed.

Mr. HOPKINS. — It seems to me the land ought to be ceded, not to the town, the corporate body, but to the people of the town.

Mr. ELIOT. — The State would more likely be willing to grant the land to the town rather than to individuals. The State has dealt with towns in the past, but rarely with individual citizens in that way.

Mr. HOPKINS. — If you will repeal the act of 1854, I will guarantee we will get our land.

Mr. GREEN. — If the rights of the Commonwealth were ceded to the town as a corporate body, it might afford an admirable opportunity for trying by practical experiment the working of Henry George's theory of land. We would be a community owning the title to the land, and the inhabitants of the town who occupied it might be assessed an appropriate sum for ground rent; and thereby the town might be maintained by the rent of its land instead of paying the town expenses from taxes in the usual way, which is substantially Mr. George's theory of the ownership of land; and, as I say, I have heard suggestions made, that, if our title was right, provided it was not necessary to make any confiscation, as has been charged as an objection to Mr. George's theory, you have got the title already. Whether the people of Provincetown care

to be made a subject of social experiment or economic experiment of that kind, I do not know; but the materials for the experiment are provided without any violation of any general principles of law.

Mr. ELIOT. — That is, the materials would be provided in regard to the town?

Mr. GREEN. — Yes, in that way.

Mr. HOPKINS. — The value of our land depends upon the improvements, — whether it would be fair to tax our improvements?

The CHAIRMAN. — Henry George's theory is not to tax your improvement, but only the rental value of the land.

Mr. FELT. — Mr. Chairman, a gentleman has just come in who has been a member of the Legislature, and may have something to do with this bill this winter, — Mr. John H. Clark, of Eastham.

The CHAIRMAN. — Well, Mr. Clark, of course there is time enough. If you will look at the map, I dare say you can learn something of the scheme which we have in hand.

Mr. JOHN H. CLARK. — Well, Mr. Chairman, I merely came down to listen to what might be said. Of course, as to my having anything to do with the Legislature, that is uncertain yet, and it is hardly worth my while to say anything to you.

The CHAIRMAN. — Mr. Eliot, the secretary, will remain until to-morrow, and if the gentleman would like to have conversation with him about this matter, I would be glad to have him.

Mr. FELT. — I am very much obliged to Mr. Green for bringing this matter up, and I would like to appear before the committee in Boston with the lawyer who drew the bill for the towns' committee which preceded the citizens' committee, and who has entered into this matter very thoroughly. I think [the Provincetown people also think some ratification in this place will be better for him, and I dare say agreeable to him.

The CHAIRMAN. — Now, gentlemen of the committee and citizens of Provincetown, have you anything further to offer? If not, with the consent of the trustees, I will declare the hearing closed.



PROVINCE LANDS
AND THE
TOWNSHIP OF PROVINCETOWN
MASSACHUSETTS

SURVEYED IN 1892 UNDER THE DIRECTION OF
THE TRUSTEES OF PUBLIC RESERVATIONS
IN PURSUANCE OF CHAPTER 420 OF THE ACTS OF THE GENERAL COURT OF 1892
BY
JOHN N. MCCLINTOCK

AUTHORITIES
TRIANGULATION BY GRAM HADEN, ASSISTANT U.S. COAST SURVEY, IN 1887
HYDROGRAPHY BY HACE REE, BY HILL, WHITE, AND U.S. COAST SURVEY, IN 1892
SURVEY LINE FROM DISCOVERY BY B. H. HENDON, ASSISTANT U.S. COAST SURVEY, IN 1892

Contour intervals are 100 ft. Datum Plane is High Water.



179

THE HISTORY OF THE
CITY OF BOSTON
FROM THE FIRST SETTLEMENT
TO THE PRESENT TIME
BY
JOHN HUTCHINGS
OF THE BARRISTER AT LAW
IN THE SUPREME COURT OF JUDICATURE
IN THE COUNTY OF MIDDLESEX
IN GREAT BRITAIN
LONDON
PRINTED BY J. DODD, ST. PAULS CHURCH-YARD
1791

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FOURTH ANNUAL REPORT
OF THE
TRUSTEES
OF
PUBLIC RESERVATIONS

1894



PRINTED FOR THE TRUSTEES BY
GEO. H. ELLIS, 141 FRANKLIN STREET, BOSTON, MASS.

1895

Societies and individuals interested in Massachusetts history, natural history, scenery, and town and country improvement, are invited to contribute to the working funds of this Board. The annual reports can be promised only to Founders, Life Associates, and Contributors. (See By-laws, Article II.) The Treasurer is George Wigglesworth, 89 State Street, Boston. The Secretary is John Woodbury, 517 Exchange Building, 53 State Street, Boston, Mass.

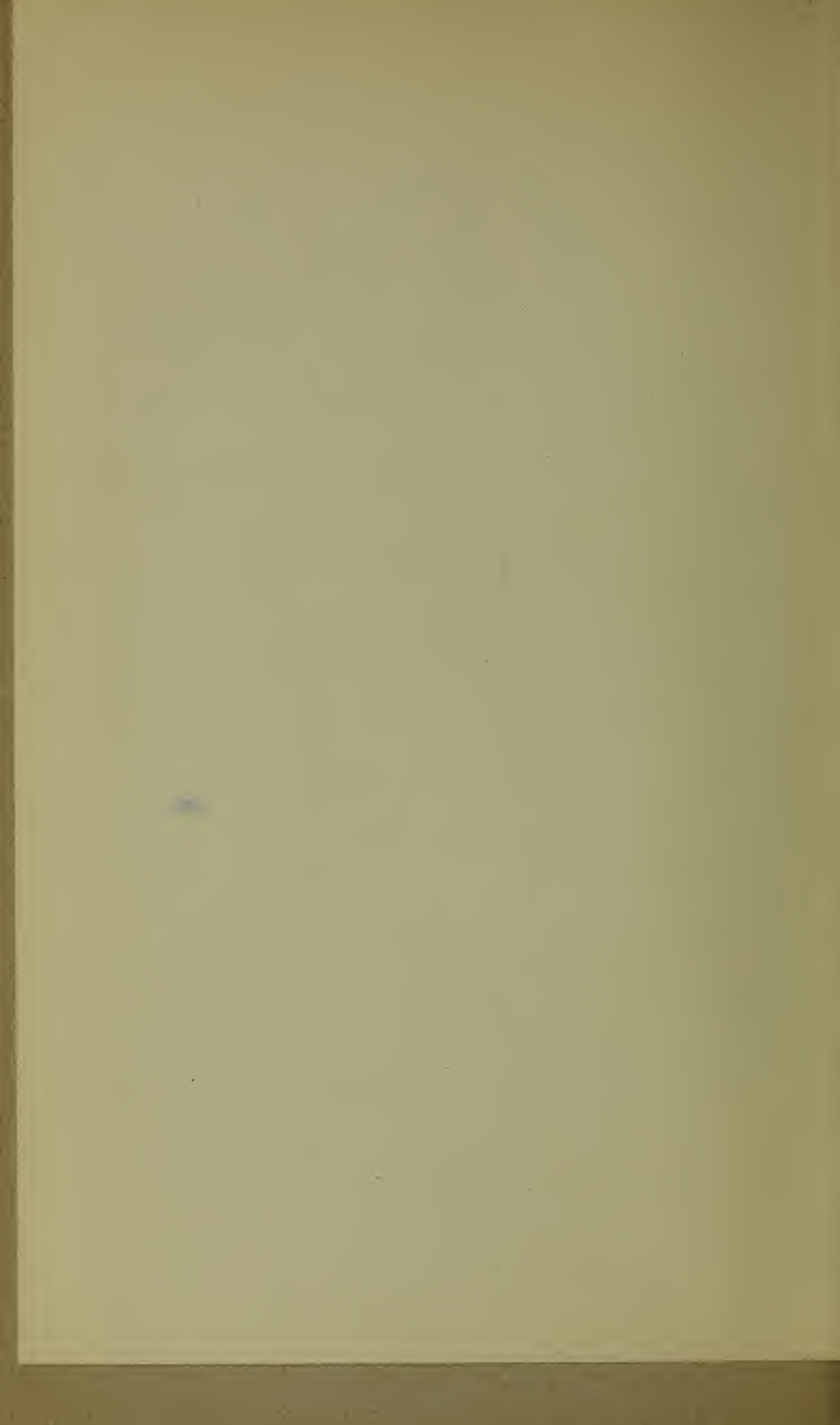


This report is sent to members of the corporation, the chairmen of the selectmen of the towns, the librarians of the Public Libraries, and the chairmen of the Park Commissions, of Massachusetts.. You are invited to acquaint the Secretary with the names of any persons or organizations who are interested in the work of the corporation, and desire copies of the report. The Secretary wishes particularly to obtain the names and addresses of the officials of local historical and village improvement societies, to whom the reports of the trustees would be of value.

JOHN WOODBURY,

Secretary.

517 Exchange Building,
Boston, Mass.





HEMLOCK GORGE, —CHARLES RIVER.

FOURTH ANNUAL REPORT
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CONTENTS.

	PAGE
OFFICERS AND MEMBERS OF THE CORPORATION, 1894,	4
FOUNDERS, LIFE ASSOCIATES, 1894,	5
AN ACT TO ESTABLISH THE TRUSTEES OF PUBLIC RESERVATIONS, .	6
BY-LAWS, 1894,	7
REPORT OF THE STANDING COMMITTEE,	12
REPORT OF THE TREASURER,	15

OFFICERS AND MEMBERS OF THE CORPORATION,
1894.

President.

HON. GEORGE F. HOAR, Worcester.

Vice-President.

HON. WILLIAM S. SHURTLEFF, Springfield.

Standing Committee.

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PHILIP A. CHASE, Lynn.

CHARLES S. SARGENT, Brookline.

HENRY P. WALCOTT, Cambridge.

NATHANIEL T. KIDDER, Milton.

GEORGE WIGGLESWORTH, 89 State St., Boston, *Treasurer.*

HENRY R. SHAW, Boston, *Secretary.*

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FRANKLIN CARTER, Williamstown.

GEORGE W. CHASE, North Adams.

WILLIAM L. CHASE, Brookline.

CHRISTOPHER CLARKE, Northampton.

CHARLES R. CODMAN, Cotuit.

ELISHA S. CONVERSE, Malden.

DELORAINE P. COREY, Malden.

CHARLES H. DALTON, Boston.

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J. D. W. FRENCH, North Andover.

E. B. GILLET, Westfield.

J. EVARTS GREENE, Worcester.

JAMES S. GRINNELL, Greenfield.



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 NATHANIEL T. KIDDER, Milton.
 HENRY M. LOVERING, Taunton.
 GEORGE C. MANN, Jamaica Plain.
 HENRY L. PARKER, Worcester.
 CHARLES S. RACKEMANN, Milton.
 JOHN ROBINSON, Salem.
 JOHN J. RUSSELL, Plymouth.
 LEVERETT SALTONSTALL, Newton.
 NATHANIEL S. SHALER, Tisbury.
 HENRY R. SHAW, Boston.
 GEORGE SHELDON, Deerfield.
 DANIEL D. SLADE, Newton.
 JOSEPH TUCKER, Pittsfield.
 GEORGE H. TUCKER, Pittsfield.
 FRANCIS A. WALKER, Boston.
 WILLIAM WHITING, Holyoke.
 MOSES WILLIAMS, Brookline.

FOUNDERS.

Miss ELLEN CHASE, Brookline. *Mrs. FANNY FOSTER TUDOR, Boston.
 JOSEPH STORY FAY, Falmouth.

LIFE ASSOCIATES.

Francis Brooks, Boston.	Miss M. C. Jackson, Boston.
Mrs. Francis Brooks, Boston.	N. T. Kidder, Milton.
Henry Brooks, West Medford.	W. C. Loring, Boston.
Peter C. Brooks, Boston.	Mrs. John C. Phillips, Boston.
Shepherd Brooks, Boston.	Charles S. Sargent, Brookline.
George A. Farlow, Boston.	John E. Thayer, South Lancaster.
John M. Forbes, Milton.	William Whiting, Holyoke.
H. H. Hunnewell, Boston.	George Wigglesworth, Boston.

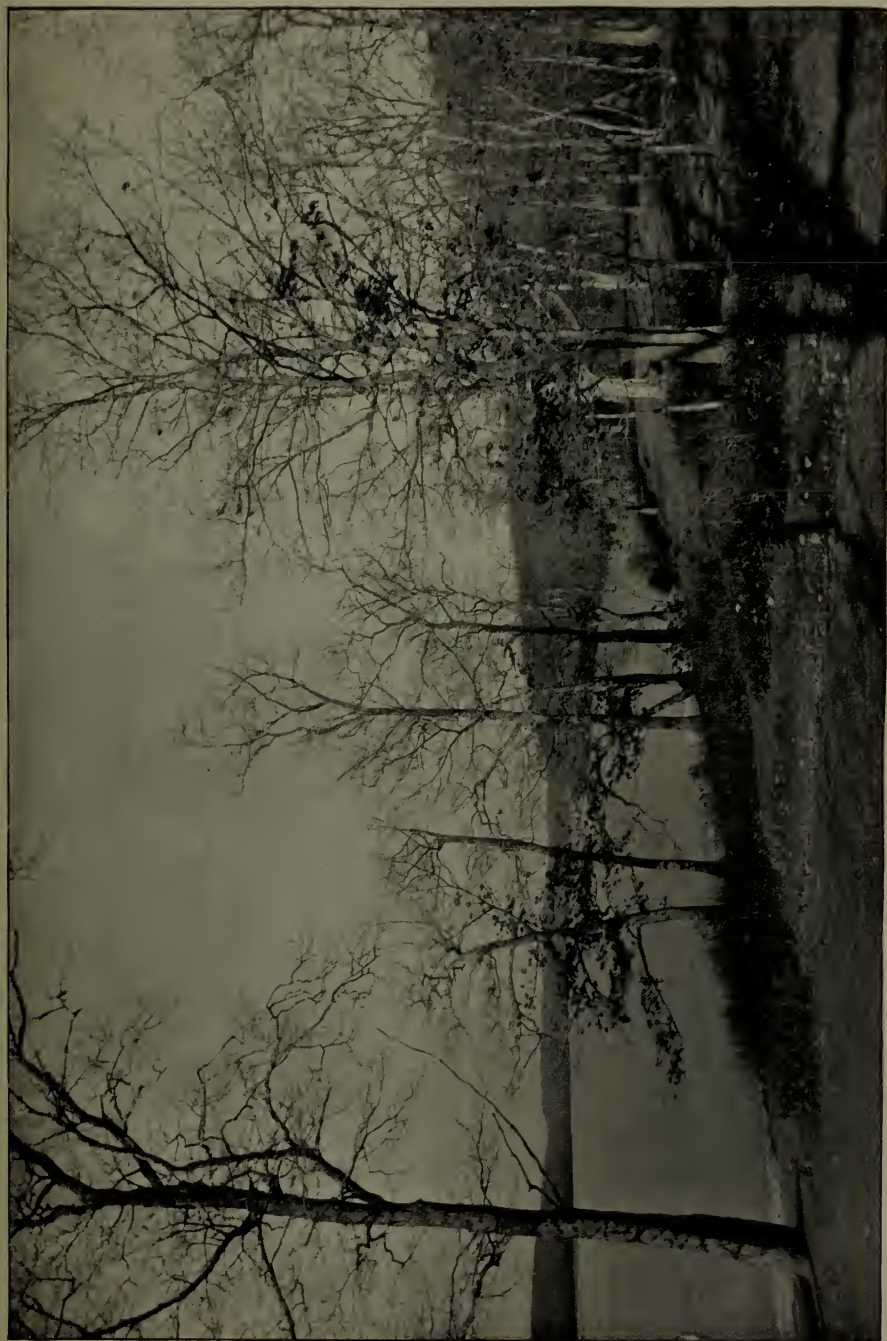
AN ACT TO ESTABLISH THE TRUSTEES OF PUBLIC RESERVATIONS, CHAPTER 352, ACTS OF 1891.

SECTION 1. Frederick L. Ames, Philip A. Chase, Christopher Clarke, Charles R. Codman, Elisha S. Converse, George F. Hoar, John J. Russell, Leverett Saltonstall, Charles S. Sargent, Nathaniel S. Shaler, George Sheldon, William S. Shurtleff, George H. Tucker, Francis A. Walker, George Wigglesworth, their associates and successors, are hereby made a corporation by the name of The Trustees of Public Reservations, for the purpose of acquiring, holding, arranging, maintaining, and opening to the public, under suitable regulations, beautiful and historical places and tracts of land within this Commonwealth, with the powers and privileges and subject to the duties set forth in chapter one hundred and fifteen of the Public Statutes and in such other general laws as now are or hereafter may be in force relating to such corporations; but said corporation shall have no capital stock.

SECT. 2. Said corporation may acquire and hold by grant, gift, devise, purchase, or otherwise real estate such as it may deem worthy of preservation for the enjoyment of the public, but not exceeding one million dollars in value, and such other property, both real and personal, as may be necessary or proper to support or promote the objects of the corporation, but not exceeding in the aggregate the further sum of one million dollars.

SECT. 3. All personal property held by said corporation, and all lands which it may cause to be opened and kept open to the public, and all lands which it may acquire and hold with this object in view, shall be exempt from taxation in the same manner and to the same extent as the property of literary, benevolent, charitable, and scientific institutions incorporated within this Commonwealth is now exempt by law; but no lands so acquired and held and not open to the public shall be so exempt from taxation for a longer period than two years. Said corporation shall never make any division or dividend of or from its property or income among its members.

SECT. 4. This act shall take effect upon its passage.



FAY'S GOODWILL PARK, — FALMOUTH, — LOOKING UP LONG POND.

ARTICLE III.

OF MEETINGS.

1. The annual meeting of the corporation shall be held on the last Wednesday in January in Boston or at such other city or town in the Commonwealth, and at such time and place, as the Standing Committee may determine. A quorum for the transaction of business shall consist of not less than seven members, but a majority of the members present and voting may adjourn any meeting from time to time until the business shall have been finished.

In the event of the annual meeting, by mistake or otherwise, not being called and held as herein prescribed, the Standing Committee shall order a special meeting to be called and held in lieu of and for the purposes of the annual meeting.

Special meetings of the corporation may be called by the Standing Committee to meet at any time and place. A quorum at a special meeting shall consist of not less than seven members.

2. At all meetings the President shall take the chair as soon as a quorum is present, and the record of the preceding meeting shall then be read, unless such reading is dispensed with by the unanimous consent of those present. After which at all special meetings the business for which the meeting was called shall be transacted, and at the annual meeting the order of business shall be as follows:—

First.—The unfinished business and the assignments of the last meeting shall be announced by the Secretary to the President, and taken up in order.

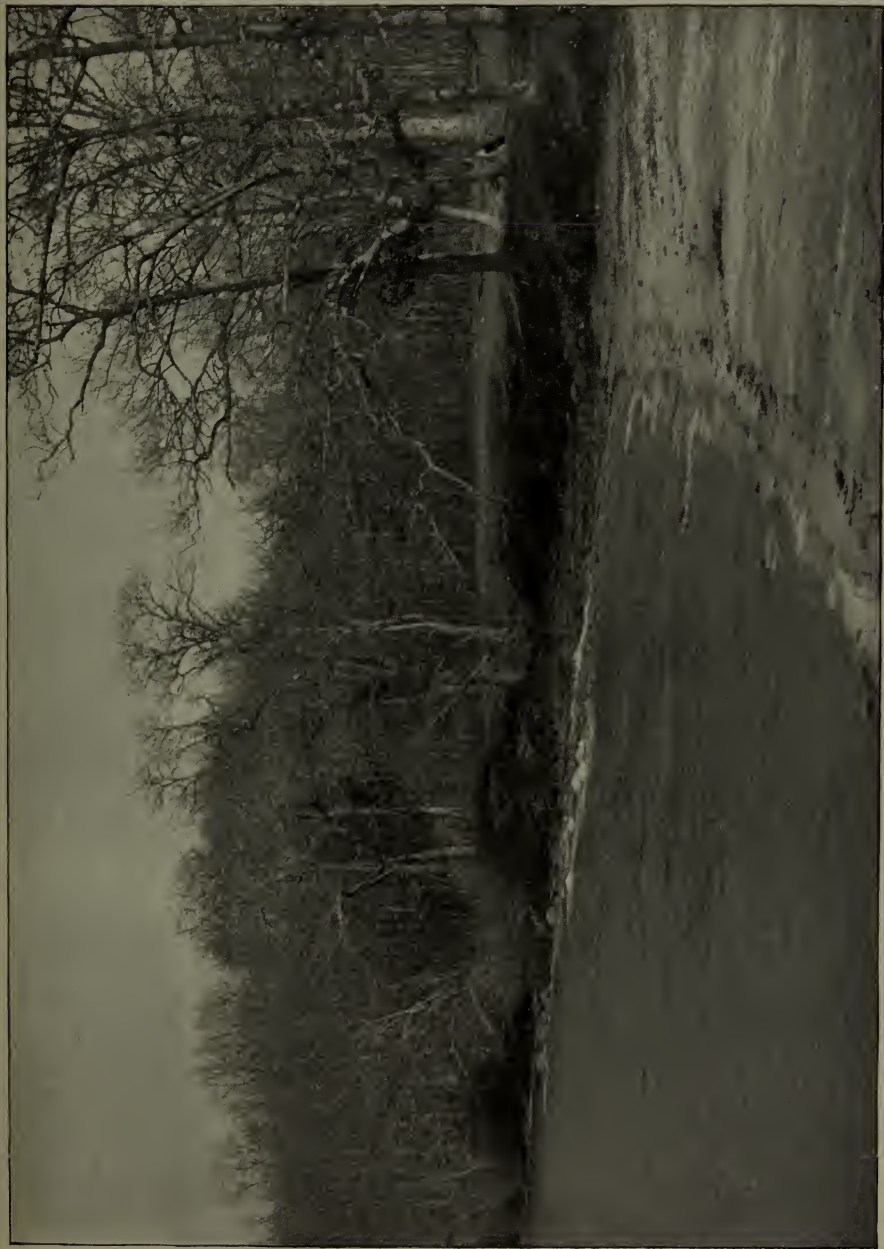
Second.—The Secretary shall be called on to submit a written report of the doings of the Standing Committee for the year ending with the previous 31st of December.

Third.—The Treasurer shall be called upon to submit a written report of his doings for the year ending with the previous 31st of December, and the financial condition of the corporation at that date.

Fourth.—The Committee to audit the Treasurer's accounts shall be called on for a report.

Fifth.—Any special committee which may have been appointed during the year shall be called on to report.

Sixth.—If the Standing Committee shall have proposed changes



FAY'S GOODWILL PARK, - FALMOUTH, - SHORE OF LONG POND.

in the By-laws, the same shall be voted upon, as provided in Article VII.

Seventh.—If the Standing Committee shall have made any nominations to membership in the corporation, an election shall be held as provided in Article I.

Eighth.—An election of officers for the ensuing year shall be held, as provided in Article IV., Section 1.

Ninth.—On the announcement of the vote the newly elected President shall take the chair, and shall give the members present an opportunity to present new business.

Tenth.—The newly elected President shall appoint a committee to audit the Treasurer's accounts.

ARTICLE IV.

OF OFFICERS.

1. The officers of the corporation shall be a President, a Vice-President, a Secretary, and a Treasurer. The Secretary and Treasurer shall be *ex-officiis* members of the Standing Committee, which shall consist of seven persons in all. The officers and the Standing Committee shall be chosen by ballot at the annual meeting of the corporation, an adjournment thereof, or at a meeting in lieu of such annual meeting, as above provided; and they shall hold their offices for one year, or until others are duly chosen and qualified in their stead. Any vacancy occurring in any of the above offices from death, resignation, or inability shall be filled by the Standing Committee at their next regular meeting or at a special meeting to be called for the purpose before such regular meeting.

2. The President shall preside at all meetings of the corporation. If he is absent, the Vice-President, and, if the Vice-President is also absent, a President *pro tempore*, chosen by hand vote of the members of the corporation present, shall preside, and shall have all the powers and perform all the duties of the President.

3. The Secretary shall warn the members of all meetings of the corporation, according as he may be directed by votes of the Standing Committee. He shall call the meetings of the Standing Committee as he may be directed by the chairman of the committee or on the request in writing of any two members thereof.

He shall carry on all the correspondence of the corporation not otherwise provided for, and shall, when the correspondence is of importance, preserve copies of the letters sent and the original letters received, for transmission with his records to his successor in office. He shall keep an exact record of all meetings of the corporation and of the Standing Committee, with the names of the members present, entering in full all reports of committees which may be accepted by either body, unless otherwise directed.

At the January meeting of the Standing Committee he shall make a written report of the doings of that body for the year ending on the previous 31st of December; and, if the report is approved, he shall present it at the annual meeting of the corporation.

4. The Treasurer shall, when directed, as provided in the next paragraph, make disbursements; and he shall also collect all moneys due to the corporation, and shall keep regular and faithful accounts of all the moneys and funds of the corporation which shall come into his hands and of all receipts and expenditures connected with the same, which accounts shall always be open to the inspection of members of the corporation. He shall make no investments and pay no moneys without either the approval of a majority of the Standing Committee or else of such officer or committee as said Standing Committee shall appoint to act for it in these matters.

At the January meeting of the Standing Committee he shall make a written report of his doings for the year ending on the previous 31st of December; and, if his report is approved, he shall present it at the annual meeting of the corporation.

ARTICLE V.

OF THE STANDING COMMITTEE.

The Standing Committee shall, at its first meeting after the annual meeting of the corporation in each year, elect a chairman, whose duty it shall be to preside at all meetings of the committee. In his absence a chairman *pro tempore* may be chosen by hand vote.

The Standing Committee shall meet at least once in every month, and a quorum shall consist of not less than three members.

The Standing Committee may nominate or refuse to nominate new members of the corporation, may accept or decline gifts offered to the corporation, may approve or disapprove investments or expenditures proposed by the Treasurer, may approve or disapprove all bills against the corporation, may appoint sub-committees of their number, may appoint and remove agents, may engage whatever assistance is needed to administer the affairs of the corporation, may designate such agents and employees by such titles as they may deem proper, and, in general, may exercise all the executive powers of the corporation.

ARTICLE VI.

OF THE SEAL.

The corporate seal shall be a circular, flat-faced die of about an inch and a half in diameter, with the name of the corporation, the year of its organization, the word "Massachusetts," and the figure of a pine-tree so engraved on its face that it can be embossed on paper by pressure.

ARTICLE VII.

OF AMENDMENTS.

At any annual meeting of the corporation, or at a special meeting called for the purpose, these By-laws may be amended, altered, or repealed by a two-thirds vote of the members present and voting, provided that notice of such proposed change shall have been given in the call of the meeting.

REPORT OF THE STANDING COMMITTEE.

*To the Trustees of Public Reservations and their Associates
and Contributors :*

The purposes and powers of the corporation chartered by the General Court of 1891 as The Trustees of Public Reservations have been set forth in three successive annual reports; and yet it may be useful to state them again. Briefly described, this Board was created in order to provide a ready and absolutely trustworthy instrument by means of which persons who may desire to effect the permanent preservation of any interesting or lovely spot in Massachusetts can accomplish their purpose without difficulty or delay from legal causes. The general desire of the Commonwealth that such spots should be preserved both from destruction and from exclusive individual possession is evidenced by the special exemption from taxation of lands and moneys which may be accepted by this Board in trust. The general hope that numerous places of historic interest and natural beauty may be thus saved is continually finding expression in newspaper paragraphs and magazine articles. An entirely admirable popular desire is clearly defined, and the instrument for the accomplishment of that desire stands ready at hand. If ever there was a golden opportunity for the investment of money in a surely and permanently beneficent way, it is in the purchase of well-chosen places for conveyance to this Board in trust.

As is well known, two tracts of land have already passed into the keeping of the Board: one of them, Virginia Wood, in Stoneham, an inherited grove of forest trees, which the donor named in memory of a daughter; the other, Fay's Reservation, in Falmouth, a tract purchased many years ago for the sake of the charm of its scenery. Photo-



VIRGINIA WOOD, — HEMLOCK KNOLL.



graphs taken in both of these public domains are reproduced herewith. Both tracts present quiet natural pictures which are at least as worthy of permanent preservation as many of the much more costly "landscapes" which are treasured in museums. On the other hand, those parcels of land which command or include such of the more striking landscapes of Massachusetts as have thus far escaped destruction are yet to be acquired for the public. Among them are many roadsides, pondsides, and brooksides, many glens and gorges, certain hill and mountain summits, and many commanding points or curving beaches of the ocean shore. The frontispiece of this report, made from a photograph by F. L. Olmsted, Jr., pictures one of these more remarkable natural landscapes, the "Hemlock Gorge of Charles River" at Newton Upper Falls; a spot which certainly ought not to wait long for a public-spirited purchaser.

Coming to the history of the last few months, your committee has little that is new to report. In April a circular on the subject of "Advertising on Objects of Natural Scenery" was prepared and printed, and sent to the Selectmen of the towns of Massachusetts. This circular called attention to the statute dealing with offences of this kind, and urged a broader and more active interest in the matter. Your committee is informed that there is a bill at present before the legislature, which covers at least one branch of this important subject. In England there has been a bill introduced in Parliament having the same general objects in view. One trust, the one mentioned above as Fay's Reservation, has devolved upon your honorable body. Mr. Joseph Story Fay, of Wood's Holl, has conveyed to the Board, in trust "for the use of the town of Falmouth as a perpetual park," to quote the words of the deed, some seventy-one acres of lands "divided," again in the words of the deed, "into woodland, pasture and arable land. It is at present fairly well fenced, borders on two ponds, is picturesque, and adapted to much ornamental development in proper hands." It may be added as an interesting fact that one part of this

land, the "Cotton Lot," so called, was formerly owned, it is believed, by the celebrated Rev. John Cotton.

In closing this annual statement, your Standing Committee would respectfully refer readers thereof who may be interested to the three previous annual reports of the committee, printed in connection with which will be found the various circulars issued by the preliminary committees and by the Board, a preliminary list of public grounds within Massachusetts, a preliminary list of the givers of public grounds, and detailed special reports by Agents Harrison and Hastings on the unfortunate lack of places on the sea-shore to which the public may freely and rightfully resort. These previous reports may be found in public libraries throughout the State, or they may be obtained by applying to the Secretary.

CHARLES ELIOT,
 PHILIP A. CHASE,
 CHARLES S. SARGENT,
 HENRY P. WALCOTT,
 NATHANIEL T. KIDDER,
 GEORGE WIGGLESWORTH,
 HENRY R. SHAW,

Standing Committee.

BOSTON, January 1, 1895.

GEORGE WIGGLESWORTH, *Treasurer*, IN ACCOUNT WITH
THE TRUSTEES OF PUBLIC RESERVATIONS.

From January 1, 1894, to January 1, 1895.

Dr.	GENERAL ACCOUNT.	Cr.	
1894. Jan. 1.		1894. Jan. 4.	
To Balance	\$699.64	By Cash: balance of Sec- retary's expenses for 1893	\$51.84
To Subscriptions during 1894	65.00	June 21. By Cash: Secretary's ex- penses	100.00
To Interest received from State St. Safe Deposit & Trust Co. to Jan. 1, 1895	21.40	Oct. 24. By Cash: paid Geo. H. Ellis for printing an- nual report	168.15
		Dec. 12. By Cash: paid W. O. Un- derwood one-half ex- pense of legal opinion on shore rights of the public	12.50
		Dec. 31. By Balance	453.55
	<u>\$786.04</u>		<u>\$786.04</u>
1895. Jan. 1.	To Balance		
	\$453.55		

Dr.	AGENT'S ACCOUNT.		Cr.
1894. Jan. 1.		1894. Jan. 4.	
To Balance	\$241.67	By Cash: paid H. B. Hastings balance of account	\$19.10
		Dec. 31.	
		By Balance	222.57
	<u>\$241.67</u>		<u>\$241.67</u>
1895. Jan. 1.	To Balance		
	\$222.57		

Dr.	VIRGINIA WOOD ACCOUNT.	Cr.
1894.		1894.
Jan. 1.		Jan. 4.
To Balance	\$170.15	By Cash: paid M. J. Mc-
Mch. 14.		Carthy for care of wood
To Cash: coupons Great		for 1893
Northern R.R. 4's . .	40.00	
Sept. 15.		Dec. 31.
To Cash: coupons Great		By Balance
Northern R.R. 4's . .	40.00	
	<u>\$250.15</u>	
		<u>\$250.15</u>
1895.		
Jan. 1.	To Balance	\$225.15

The subscriptions for general purposes have been as follows:—

Mary Sophia Walker	\$10.00
Joseph S. Fay	20.00
Appalachian Mountain Club	25.00
James C. Braman	10.00

The undersigned have examined the accounts and vouchers of the Treasurer of the Trustees of Public Reservations for the year 1894, and find them correctly cast and properly vouched.

CHRISTOPHER CLARKE,
CHARLES S. RACKEMANN,
NATHANIEL T. KIDDER,

Auditing Committee.

JAN. 26, 1895.

FIFTH ANNUAL REPORT
OF THE
TRUSTEES
OF
PUBLIC RESERVATIONS

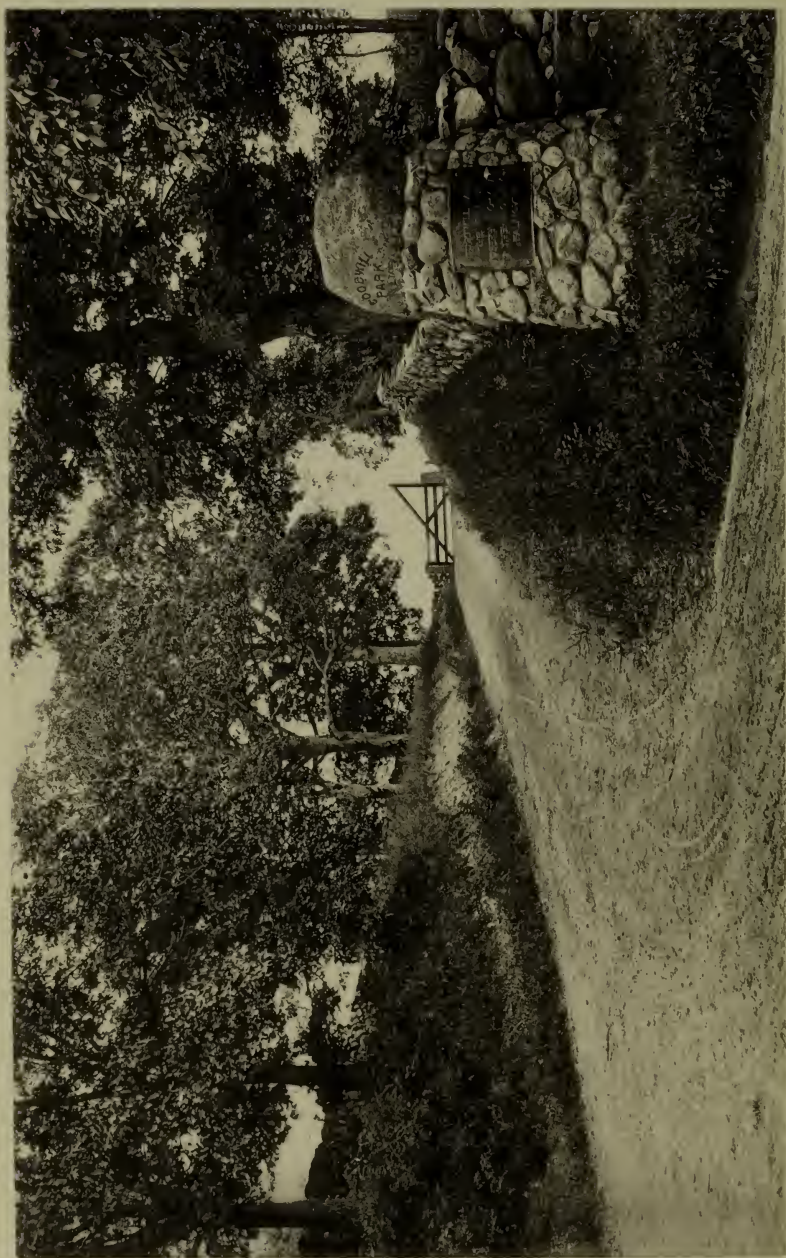
1895



PRINTED FOR THE TRUSTEES BY
GEO. H. ELLIS, 141 FRANKLIN STREET, BOSTON, MASS.

1896

Societies and individuals interested in Massachusetts history, natural history, scenery, and town and country improvement, are invited to contribute to the working funds of this Board. The annual reports can be promised only to Founders, Life Associates, and Contributors. (See By-laws, Article II.) The Treasurer is George Wigglesworth, 89 State Street, Boston. The Secretary is John Woodbury, 114 Ames Building, Boston, Mass.



FIFTH ANNUAL REPORT
OF THE
TRUSTEES
OF
PUBLIC RESERVATIONS
1895



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1896

CONTENTS.

	PAGE
OFFICERS OF THE CORPORATION, 1896,	4
OFFICERS AND MEMBERS OF THE CORPORATION, 1895,	5
FOUNDERS, LIFE ASSOCIATES, 1895,	6
AN ACT TO ESTABLISH THE TRUSTEES OF PUBLIC RESERVATIONS, .	7
BY-LAWS, 1895,	8
REPORT OF THE STANDING COMMITTEE,	13
REPORT OF THE TREASURER,	18

OFFICERS OF THE CORPORATION,
1896.

President.

HON. GEORGE F. HOAR, Worcester.

Vice-President.

GEORGE SHELDON, Deerfield.

Standing Committee.

CHARLES ELIOT, Brookline.
PHILIP A. CHASE, Lynn.
CHARLES S. SARGENT, Brookline.
HENRY P. WALCOTT, Cambridge.
NATHANIEL T. KIDDER, Milton.
GEORGE WIGGLESWORTH, Boston.
JOHN WOODBURY, Lynn.

Treasurer.

GEORGE WIGGLESWORTH, 89 State St., Boston.

Secretary.

JOHN WOODBURY, 114 Ames Building, Boston.

OFFICERS AND MEMBERS OF THE CORPORATION,
1895.

President.

HON. GEORGE F. HOAR, Worcester.

Vice-President.

*HON. WILLIAM S. SHURTLEFF, Springfield.

Standing Committee.

CHARLES ELIOT, Brookline, *Chairman.*

PHILIP A. CHASE, Lynn.

CHARLES S. SARGENT, Brookline.

HENRY P. WALCOTT, Cambridge.

NATHANIEL T. KIDDER, Milton.

GEORGE WIGGLESWORTH, 89 State St., Boston, *Treasurer.*

JOHN WOODBURY, Boston, *Secretary.*

FRANCIS H. APPLETON, Lynnfield.

FRANKLIN CARTER, Williamstown.

GEORGE W. CHASE, North Adams.

*WILLIAM L. CHASE, Brookline.

CHRISTOPHER CLARKE, Northampton.

CHARLES R. CODMAN, Cotuit.

ELISHA S. CONVERSE, Malden.

DELORAINÉ P. COREY, Malden.

CHARLES H. DALTON, Boston.

WILLIAM C. ENDICOTT, Salem.

GEORGE A. FARLOW, Boston.

DESMOND FITZGERALD, Brookline.

J. D. W. FRENCH, North Andover.

E. B. GILLET, Westfield.

* Deceased.

J. EVARTS GREENE, Worcester.
 JAMES S. GRINNELL, Greenfield.
 AUGUSTUS HEMENWAY, Canton.
 HENRY M. LOVERING, Taunton.
 GEORGE C. MANN, Jamaica Plain.
 HENRY L. PARKER, Worcester.
 CHARLES S. RACKEMANN, Milton.
 JOHN ROBINSON, Salem.
 JOHN J. RUSSELL, Plymouth.
 *LEVERETT SALTONSTALL, Newton.
 NATHANIEL S. SHALER, Tisbury.
 HENRY R. SHAW, Boston.
 GEORGE SHELDON, Deerfield.
 DANIEL D. SLADE, Newton.
 JOSEPH TUCKER, Pittsfield.
 GEORGE H. TUCKER, Pittsfield.
 FRANCIS A. WALKER, Boston.
 WILLIAM WHITING, Holyoke.
 MOSES WILLIAMS, Brookline.

FOUNDERS.

Miss ELLEN CHASE, Brookline. *Mrs. FANNY FOSTER TUDOR, Boston.
 JOSEPH STORY FAY, Falmouth.

LIFE ASSOCIATES.

Francis Brooks, Boston.	Miss M. C. Jackson, Boston.
Mrs. Francis Brooks, Boston.	N. T. Kidder, Milton.
Henry Brooks, West Medford.	W. C. Loring, Boston.
Peter C. Brooks, Boston.	Mrs. John C. Phillips, Boston.
Shepherd Brooks, Boston.	Charles S. Sargent, Brookline.
George A. Farlow, Boston.	John E. Thayer, South Lancaster.
John M. Forbes, Milton.	William Whiting, Holyoke.
H. H. Hunnewell, Boston.	George Wigglesworth, Boston.

* Deceased.

AN ACT TO ESTABLISH THE TRUSTEES OF PUBLIC RESERVATIONS, CHAPTER 352, ACTS OF 1891.

SECTION 1. Frederick L. Ames, Philip A. Chase, Christopher Clarke, Charles R. Codman, Elisha S. Converse, George F. Hoar, John J. Russell, Leverett Saltonstall, Charles S. Sargent, Nathaniel S. Shaler, George Sheldon, William S. Shurtleff, George H. Tucker, Francis A. Walker, George Wigglesworth, their associates and successors, are hereby made a corporation by the name of The Trustees of Public Reservations, for the purpose of acquiring, holding, arranging, maintaining, and opening to the public, under suitable regulations, beautiful and historical places and tracts of land within this Commonwealth, with the powers and privileges and subject to the duties set forth in chapter one hundred and fifteen of the Public Statutes and in such other general laws as now are or hereafter may be in force relating to such corporations; but said corporation shall have no capital stock.

SECT. 2. Said corporation may acquire and hold by grant, gift, devise, purchase, or otherwise real estate such as it may deem worthy of preservation for the enjoyment of the public, but not exceeding one million dollars in value, and such other property, both real and personal, as may be necessary or proper to support or promote the objects of the corporation, but not exceeding in the aggregate the further sum of one million dollars.

SECT. 3. All personal property held by said corporation, and all lands which it may cause to be opened and kept open to the public, and all lands which it may acquire and hold with this object in view, shall be exempt from taxation in the same manner and to the same extent as the property of literary, benevolent, charitable, and scientific institutions incorporated within this Commonwealth is now exempt by law; but no lands so acquired and held and not open to the public shall be so exempt from taxation for a longer period than two years. Said corporation shall never make any division or dividend of or from its property or income among its members.

SECT. 4. This act shall take effect upon its passage.

BY-LAWS OF THE TRUSTEES OF PUBLIC RESERVATIONS.

ARTICLE I.

OF MEMBERS.

The members of the corporation shall be residents of Massachusetts, and their number shall not exceed fifty.

The Standing Committee may, if it sees fit, nominate persons to membership by inserting the names of candidates upon the notice or warning of any meeting. The election shall take place at any meeting subsequent to such notice, and shall be by ballot upon the names proposed by the Standing Committee; and any person who receives the votes of two-thirds of the members present and voting shall, on his acceptance in writing of his election, be declared and enrolled a member of the corporation. Membership may be terminated by resignation, and shall be terminated by failure for three successive years to attend the annual meeting; but in the latter case the Standing Committee may by vote suspend the operation of this rule when it sees best.

ARTICLE II.

OF FOUNDERS, LIFE ASSOCIATES, AND CONTRIBUTORS.

All persons from whom the corporation shall receive real or personal property to the value of one thousand dollars or more shall be permanently enrolled as Founders.

All persons not entitled to be enrolled as Founders, from whom the corporation shall receive real or personal property to the value of one hundred dollars or more, shall be enrolled during life as Life Associates.

All persons, societies, or corporations not entitled to be enrolled as Founders or Life Associates, from whom the corporation

shall receive one or more dollars, shall be enrolled as contributors for the year in which payment of such sum is made.

ARTICLE III.

OF MEETINGS.

1. The annual meeting of the corporation shall be held on the last Wednesday in January in Boston or at such other city or town in the Commonwealth, and at such time and place, as the Standing Committee may determine. A quorum for the transaction of business shall consist of not less than seven members, but a majority of the members present and voting may adjourn any meeting from time to time until the business shall have been finished.

In the event of the annual meeting, by mistake or otherwise, not being called and held as herein prescribed, the Standing Committee shall order a special meeting to be called and held in lieu of and for the purposes of the annual meeting.

Special meetings of the corporation may be called by the Standing Committee to meet at any time and place. A quorum at a special meeting shall consist of not less than seven members.

2. At all meetings the President shall take the chair as soon as a quorum is present; and the record of the preceding meeting shall then be read, unless such reading is dispensed with by the unanimous consent of those present. After which at all special meetings the business for which the meeting was called shall be transacted, and at the annual meeting the order of business shall be as follows:—

First.—The unfinished business and the assignments of the last meeting shall be announced by the Secretary to the President, and taken up in order.

Second.—The Secretary shall be called on to submit a written report of the doings of the Standing Committee for the year ending with the previous 31st of December.

Third.—The Treasurer shall be called upon to submit a written report of his doings for the year ending with the previous 31st of December, and the financial condition of the corporation at that date.

Fourth.—The Committee to audit the Treasurer's accounts shall be called on for a report.

Fifth.— Any special committee which may have been appointed during the year shall be called on to report.

Sixth.— If the Standing Committee shall have proposed changes in the By-laws, the same shall be voted upon, as provided in Article VII.

Seventh.—If the Standing Committee shall have made any nominations to membership in the corporation, an election shall be held as provided in Article I.

Eighth.—An election of officers for the ensuing year shall be held, as provided in Article IV., Section I.

Ninth.—On the announcement of the vote the newly elected President shall take the chair, and shall give the members present an opportunity to present new business.

Tenth.—The newly elected President shall appoint a committee to audit the Treasurer's accounts.

ARTICLE IV.

OF OFFICERS.

1. The officers of the corporation shall be a President, a Vice-President, a Secretary, and a Treasurer. The Secretary and Treasurer shall be *ex-officiis* members of the Standing Committee, which shall consist of seven persons in all. The officers and the Standing Committee shall be chosen by ballot at the annual meeting of the corporation, an adjournment thereof, or at a meeting in lieu of such annual meeting, as above provided; and they shall hold their offices for one year, or until others are duly chosen and qualified in their stead. Any vacancy occurring in any of the above offices from death, resignation, or inability, shall be filled by the Standing Committee at their next regular meeting or at a special meeting to be called for the purpose before such regular meeting.

2. The President shall preside at all meetings of the corporation. If he is absent, the Vice-President, and, if the Vice-President is also absent, a President *pro tempore*, chosen by hand vote of the members of the corporation present, shall preside, and shall have all the powers and perform all the duties of the President.

3. The Secretary shall warn the members of all meetings of

the corporation, according as he may be directed by votes of the Standing Committee. He shall call the meetings of the Standing Committee as he may be directed by the chairman of the committee or on the request in writing of any two members thereof. He shall carry on all the correspondence of the corporation not otherwise provided for, and shall, when the correspondence is of importance, preserve copies of the letters sent and the original letters received, for transmission with his records to his successor in office. He shall keep an exact record of all meetings of the corporation and of the Standing Committee, with the names of the members present, entering in full all reports of committees which may be accepted by either body, unless otherwise directed.

At the January meeting of the Standing Committee he shall make a written report of the doings of that body for the year ending on the previous 31st of December; and, if the report is approved, he shall present it at the annual meeting of the corporation.

4. The Treasurer shall, when directed, as provided in the next paragraph, make disbursements; and he shall also collect all moneys due to the corporation, and shall keep regular and faithful accounts of all the moneys and funds of the corporation which shall come into his hands and of all receipts and expenditures connected with the same, which accounts shall always be open to the inspection of members of the corporation. He shall make no investments and pay no moneys without either the approval of a majority of the Standing Committee or else of such officer or committee as said Standing Committee shall appoint to act for it in these matters.

At the January meeting of the Standing Committee he shall make a written report of his doings for the year ending on the previous 31st of December; and, if his report is approved, he shall present it at the annual meeting of the corporation.

ARTICLE V.

OF THE STANDING COMMITTEE.

The Standing Committee shall, at its first meeting after the annual meeting of the corporation in each year, elect a chairman,

whose duty it shall be to preside at all meetings of the committee. In his absence a chairman *pro tempore* may be chosen by hand vote.

The Standing Committee shall meet at least once in every month, and a quorum shall consist of not less than three members.

The Standing Committee may nominate or refuse to nominate new members of the corporation, may accept or decline gifts offered to the corporation, may approve or disapprove investments or expenditures proposed by the Treasurer, may approve or disapprove all bills against the corporation, may appoint sub-committees of their number, may appoint and remove agents, may engage whatever assistance is needed to administer the affairs of the corporation, may designate such agents and employees by such titles as they may deem proper, and, in general, may exercise all the executive powers of the corporation.

ARTICLE VI.

OF THE SEAL.

The corporate seal shall be a circular, flat-faced die of about an inch and a half in diameter, with the name of the corporation, the year of its organization, the word "Massachusetts," and the figure of a pine-tree so engraved on its face that it can be embossed on paper by pressure.

ARTICLE VII.

OF AMENDMENTS.

At any annual meeting of the corporation, or at a special meeting called for the purpose, these By-laws may be amended, altered, or repealed by a two-thirds vote of the members present and voting, provided that notice of such proposed change shall have been given in the call of the meeting.

REPORT OF THE STANDING COMMITTEE.

The Standing Committee of the Trustees of Public Reservations submit herewith their Fifth Annual Report.

As has been stated in previous reports, two considerable tracts of land have been transferred by individuals to the Trustees,— Virginia Wood, situated in Stoneham, and Goodwill Park, in Falmouth.

Not long after the gift of Virginia Wood was made, the Metropolitan Park Commission was created by the State for the purpose of developing a metropolitan system of parks and drives in the city and suburbs of Boston. One of the first acts of this Commission was to secure for the Commonwealth of Massachusetts, as a public reservation, the territory known as the Middlesex Fells. This park, three thousand nine hundred acres of forest and lakes, includes within its boundaries Virginia Wood, the beautiful pine grove placed in the hands of the Trustees by Mrs. Fannie Foster Tudor, as a memorial of her daughter. The action of the Park Commission has made the duties of the Trustees much simpler to perform. Virginia Wood now enjoys, through the action of the Park Commission, the same police and fire protection that is accorded to the other portions of the Fells. It has seemed to this Committee, however, that it was desirable that the memorial character of this beautiful spot should be in some way set forth. Arrangements have therefore been made with the Park Commission by which the bounds of Virginia Wood shall be permanently marked by stone monuments. It is also intended that during the coming year a tablet with a suitable inscription shall be affixed to a boulder, on a high knoll in the woods, in such a manner as will not detract from the natural beauty of the grove. A

certain amount of work should also be done every year towards the preservation of the magnificent trees.

In Goodwill Park something has been done towards its improvement during the past year. Contributions for this purpose have been made by the town of Falmouth, and also by the further generosity of the giver, Mr. Joseph Story Fay. The money has been expended under the supervision of a local committee, consisting of Messrs. Joshua C. Robinson, E. Pierson Beebe, and William P. Nye. The entrance from the main road has been marked by posts constructed of bowlders, and a bronze tablet giving the name of the park and the facts connected with the gift will be placed there as soon as it is completed. The grade of the entrance road has been materially improved, and the woods roads are in fairly good condition. A fire belt has been started, and something done towards fire protection. The number of people who visit the grove at the edge of the pond for picnic purposes is so considerable that it will be necessary to make some simple rules governing the use of the reservation.

No further gifts have been made to the Trustees during the past year. Many inquiries have been made as to the powers of the Trustees, and in some cases proffers of land have been made; but the fact that the corporation has no general fund has compelled the Trustees to decline any gift unless accompanied by a sum of money sufficient to defray any expenses for care and maintenance which such gift might entail.

A suggestion has been received from the Massachusetts Highway Commission, a State Board engaged in the construction of permanent roads of the best character throughout the Commonwealth, that in many places it may be desirable to vest in the Trustees of Public Reservations the title to strips of land along the borders of these public highways, in order to add a picturesque value to what is primarily a work of utility. It seems to the Standing Committee that in some cases — as, for instance, where these roads practically adjoin the beds of brooks and rivers or the borders of lakes and ponds — such action would be both desirable and

feasible. The land, being of no value for purposes of building or cultivation, would be freely granted by the owners; and the little care that would be required might be guaranteed by the towns in which it was situated, in return for the benefit received in the improved appearance of the road.

A question that has always interested the Trustees has been the possibility of preventing offensive advertising, whether on buildings or objects of nature, in such manner as to detract from the charm of the landscape. The Standing Committee has therefore expressed its approval of the general purposes of legislation which has been proposed from time to time to prevent this evil, the prevalence of which is by no means confined to this State or country. So far our law-makers have not been able to find a feasible way to prevent the infraction of what may be considered at least good moral law, when the offence is committed on private property with the consent of the owner. No doubt, improvement in this respect, like that in many other lines, must await the growth of a healthy public opinion, which will make a proprietor ashamed of an outrageously decorated barn or fence, as he would be to-day of uncouth clothes and filthy personal appearance. The law has long since recognized that an offence to the sense of smell or hearing may be great enough to make of it a public nuisance, and it is not impossible that with an increasing appreciation of the beautiful in nature the sense of sight may attain its legal right to protection.

On the invitation of gentlemen interested in the preservation of the mountain tops of Holyoke and Mount Tom, in the lovely valley of the Connecticut, many of the Trustees visited Northampton; and a public meeting was held in that city on the evening of May 31. The occasion was made to coincide with an excursion of the Appalachian Mountain Club to the same place. Hon. George F. Hoar, our President, presided; and, in addition to addresses from him and others of the Trustees, a carefully prepared paper was read by our late Vice-President, Judge Shurtleff, on "The Trees, and their Preservation," a subject very near to his heart. It

would be a great satisfaction if it should hereafter appear that this occasion in any degree promoted the preservation of what must be admitted to be some of the loveliest of the scenery of Massachusetts.

Mention has been made in previous reports of the organization in England of the "National Trust for Places of Historic Interest and Natural Beauty." Much interest was felt in the organization, not only on account of the distinguished men and women who founded it, but also because of its similar aims and purposes. Its prospectus contained most kindly and flattering references to the Trustees of Public Reservations of Massachusetts; and our relationship has recently been further emphasized by the request of the English Trust that a member of its Provisional Council be nominated by the Trustees of Public Reservations. In accordance with this request the Standing Committee nominated Prof. Charles S. Sargent, of the Arnold Arboretum, to that office; and this action has been confirmed by the English Board. Such amenities are pleasant, indicating, as they do, the sympathy and good feeling existing between men of a common race, working for the same end with a common and high-minded purpose.

It is evident, as was expressed in a previous report, that the growth of park boards and improvement associations will relieve this corporation of much work that it might otherwise perform. This, however, is a matter not of discouragement, but of encouragement. If the principle abides and grows stronger, that what is beautiful in nature and of real historic interest must be preserved, we are content. Our simple organization is easily maintained. There are many cases likely to arise where it will supply the necessary machinery for receiving and holding gifts which for lack of it might not be made. It can at all times be the vehicle for the expression of an intelligent opinion on the subjects which are akin to its purposes. It has already certain trusts to carry out, and must continue. The measure of its activity, however, will be governed by future circumstances.

The Standing Committee desires, in closing this report, to

express the sorrow of its members for the loss which the Trustees of Public Reservations have sustained in the recent death of the Hon. William S. Shurtleff, Vice-President of the Board. Judge Shurtleff, speaking for the Connecticut Valley, made an enthusiastic address at the public meeting held in Boston, May 24, 1890, when the establishment of a Board of Trustees was first advocated; and he subsequently presided at each successive annual meeting of the Board. Since the creation of the corporation three members have died besides Judge Shurtleff: Frederick L. Ames, in whose private office the earlier meetings of the Board were held; Col. William L. Chase, who as a Metropolitan Park Commissioner assisted in securing for the neighborhood of Boston the several beautiful places now controlled by that Board; and the Hon. Leverett Saltonstall, who made an eloquent address at the preliminary public meeting held in May, 1890.

CHARLES ELIOT,

Chairman.

PHILIP A. CHASE.

CHARLES S. SARGENT.

HENRY P. WALCOTT.

NATHANIEL T. KIDDER.

GEORGE WIGGLESWORTH,

Treasurer.

JOHN WOODBURY,

Secretary.

BOSTON, January 1, 1896.

GEORGE WIGGLESWORTH, *Treasurer*, IN ACCOUNT WITH
THE TRUSTEES OF PUBLIC RESERVATIONS.

From January 1, 1895, to January 1, 1896.

Dr.	GENERAL ACCOUNT.		Cr.
1895.			1895.
Jan. 1.			March 22.
To Balance	\$453.55		By Cash: paid N. L.
Dec. 31.			Stebbins, photographer
To Subscriptions during			
1895	145.00		May 10.
To Interest received from			By Cash: paid Geo. H.
State St. Safe Deposit			Ellis, printing annual
& Trust Co. to Jan. 1,			report
1896	16.65		85.61
To Expense Account:			Dec. 31.
cash returned by former			By Balance
Secretary	5.20		441.39
	<u>\$620.40</u>		
1896.			<u>\$620.40</u>
Jan. 1.			
To Balance	\$441.39		

Dr.	AGENT'S ACCOUNT.		Cr.	
1895.			1895.	
Jan. 1.			Dec. 31.	
To Balance	\$222.57		By Balance	\$222.57
	<u>\$222.57</u>			<u>\$222.57</u>
1896.				
Jan. 1.	To Balance	\$222.57		

Dr.	VIRGINIA WOOD ACCOUNT.		Cr.
1895. Jan. 1.			1895. Dec. 31.
To Balance	\$225.15		By Balance
March 29.			
To Cash: coupons Great Northern R.R. 4's	40.00		
Sept. 26.			
To cash: coupons Great Northern R.R. 4's	40.00		
	<u>\$305.15</u>		<u>\$305.15</u>
1896. Jan. 1.			
To Balance	\$305.15		

The subscriptions for general purposes have been as follows :

Mary Sophia Walker	\$10.00
Appalachian Mountain Club	25.00
James C. Braman	10.00
Joseph S. Fay	100.00

The undersigned have examined the accounts and vouchers of the Trustees of Public Reservations for the year 1895, and find them correctly cast and properly vouched.

NATHANIEL T. KIDDER,
CHARLES S. RACKEMANN,
CHRISTOPHER CLARKE,
Auditing Committee.

JAN. 29, 1896.

